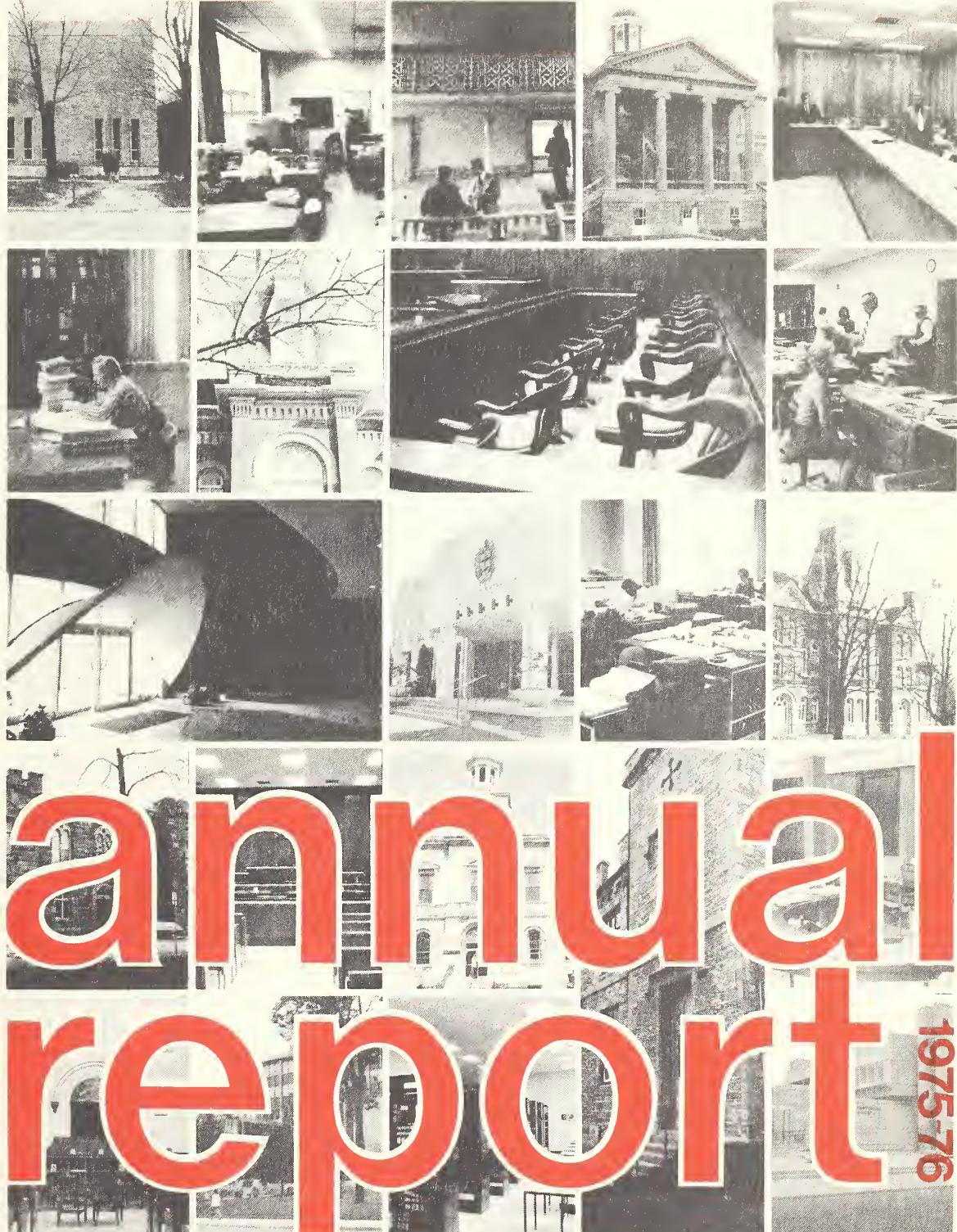




Ministry of the Attorney General





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To Her Honour the Lieutenant Governor
in Council

May it please Your Honour:

It is my pleasure to present to your Honour
the Annual Report of the Ministry of the
Attorney General for the year 1975-76.



The Honourable R. Roy McMurtry, Q.C.
Attorney General



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Letter from the Deputy Attorney General

December 15th, 1976

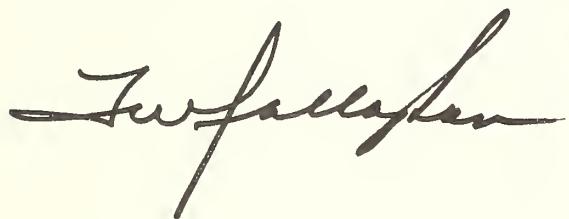
The Honourable R. Roy McMurtry, Q.C.
Attorney General
18th floor, 18 King Street East
Toronto, Ontario

Dear Sir:

I have the honour to submit to you the second Annual Report of the Attorney General for the Province of Ontario pursuant to the provisions of section 7 of the Ministry of the Attorney General Act, R.S.O. 1970, c. 166 as amended by S.O. 1971, c. 1, s. 9 (previously entitled The Department of Justice Act).

This report covers the year 1975-76 which was a period of intense activity in the Ministry. While the report provides an excellent summary of the Ministry's activities, it cannot adequately reflect the loyalty, support and tireless energy of the many employees of the Ministry who are dedicated to the effective administration of Justice in Ontario.

All of which is respectfully submitted.

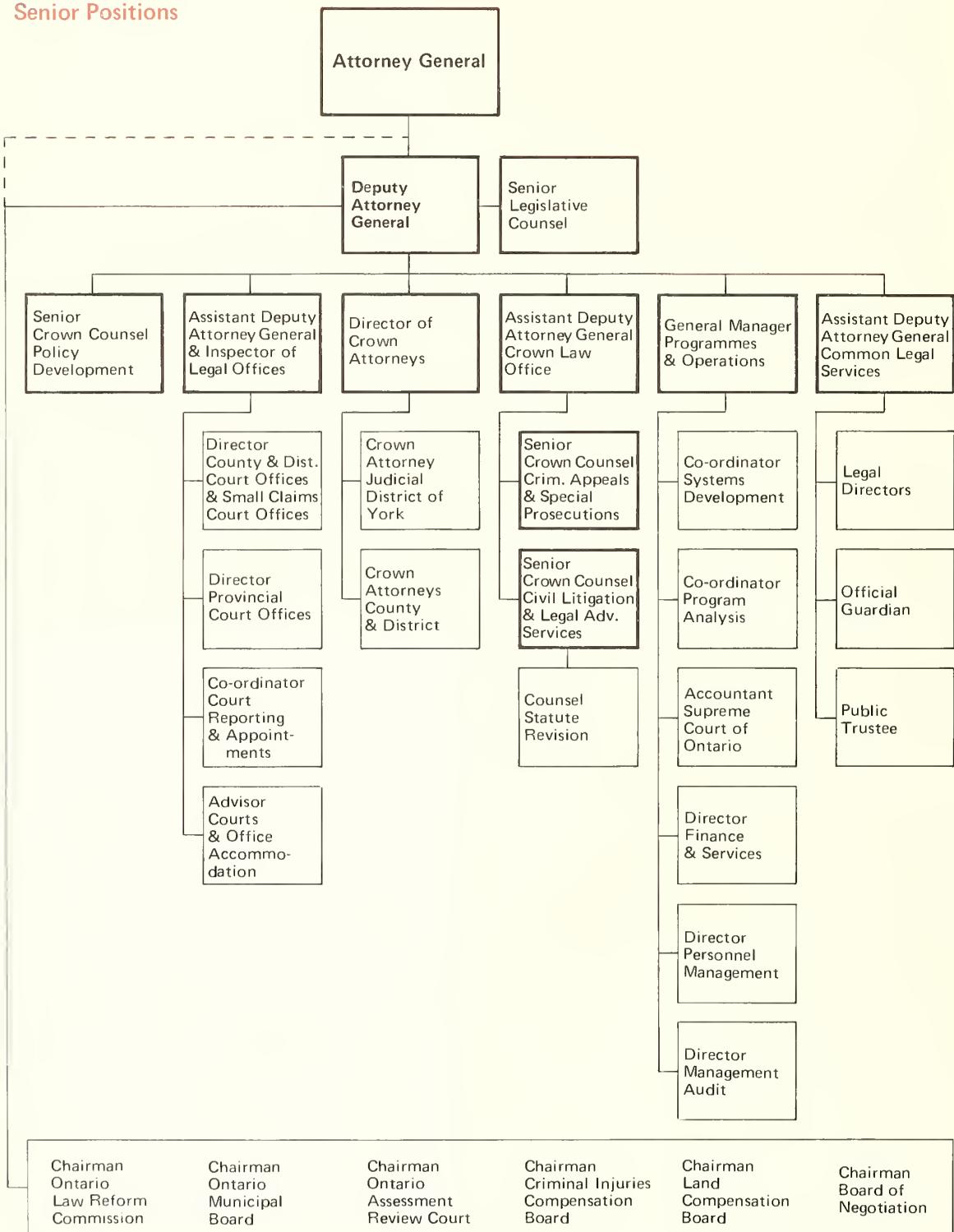


F.W. Callaghan, Q.C.
Deputy Attorney General



The Ministry of the Attorney General

Senior Positions



Office of the Legislative Counsel

W.C. Alcombrack, Q.C.,
Senior Legislative Counsel

Function

The duties and responsibilities of the office include:

Advising and assisting ministers and agencies of the government and Members of the Assembly on all matters of a legislative nature;
Drafting statutes and regulations;
Printing the annual volume of statutes;
Filing and publishing the regulations.

Updating Statutes and Regulations on Film

The project of updating regulations on film is being continued on a regular basis and copy is made available for the use of the Queen's Printer.

The project involving the updating of the statutes on a selective basis is being continued. This project is scheduled to ensure that they will be up to date for the purposes of the next revision, following which it is expected that all the statutes will be kept up to date on a regular basis.

These updating projects have the advantage of spreading the work and cost of future revisions over a number of years and enables this office to provide up to date copy continuously for the purpose of publishing office consolidations.

Number of Bills Drafted, Introduced and Passed

	1972	1973	1974	1975
Government Bills —				
Drafted	241	230	225	191
Introduced	179	185	145	115
Passed	173	177	137	110
Private Bills —				
Introduced	34	40	31	32
Passed	31	38	31	31
Private Members Bills —				
Drafted	95	94	72	79
Introduced	85	93	58	83
Passed	0	0	0	0
Total	132			
number of pages in Statute Book	1734			
	1866	1750	1650	1100

Number of Regulations Drafted and Filed

	1972	1973	1974	1975
Drafted	732	984	1152	1216
Filed	600	828	1001	1049
Published pages in Gazette	1340	1941	1767	2457

1972 Session	Commenced Prorogued	Feb. 29th, 1972 Dec. 15th, 1972
1973 Session	Commenced Prorogued	Mar. 20th, 1973 Mar. 5th, 1974
1974 Session	Commenced Prorogued	Mar. 5th, 1974 Feb. 14th, 1975
1975 Session	Commenced Dissolved	Mar. 11th, 1975 Aug. 11th, 1975
1975 2nd Session	Commenced Prorogued	Oct. 28th, 1975 Dec. 18th, 1975

The Ministry of the Attorney General

Policy Development Division

Archie G. Campbell,
Senior Crown Counsel

The Division

At present the Division, which consists of Senior Crown Counsel and four lawyers reports to and is under the direct supervision of the Deputy Attorney General.

Present Duties

Briefly stated, the present duties of this Division include:

1. Research into and analysis of all aspects of the administration of justice in Ontario;
2. Continual review of the approximately 130 statutes administered by the Ministry (see Appendix), initiating proposals for reform and analyzing suggestions for reform from the general public, other ministries and members of the Legislature;
3. Developing the legislative programme of the Ministry commencing with discussion of suggested legislation with senior staff within the Ministry, proceeding to the preparation of Ministry policy submissions outlining the problem and setting out and evaluating the range of government options for discussion and decision-making by the Justice Committee of Cabinet and by Cabinet, and concluding with the creation, in conjunction with Legislative Counsel, of draft Bills reflecting Cabinet decisions;
4. Advising the Attorney General and Deputy Attorney General during the legislative progress of a Bill, which generally involves attendance at the Legislative Assembly with the Attorney General to be available to advise him about the Bill and assist him in answering detailed technical questions which may arise during debate.

The Division is also responsible for the Ministry library which provides service to the Crown Law Office and approximately fifty field offices.

Relationship with Other Organizational Units

To discharge its responsibilities the Division must have close relationships with a number of organizational units both within the Ministry and independ-

ent of it. There is constant liaison and co-operation with the Crown Law Office. Through these efforts some projects are jointly conducted and unnecessary duplication is avoided. The Policy Development Division maintains a co-operative relationship with the Ontario Law Reform Commission and while the independence of the Commission is at all times recognized and respected there is a mutual exchange of research material and ideas.

There is constant demand for interaction with other ministries and Policy Fields, the federal Department of Justice, and with public interest groups. This involvement enables the Division to keep abreast of many activities and proposals which may affect the administration of justice in the province.

Examples of Activity

Legislative

Legislation which has involved the preparation of policy submissions by the Division includes:

1. The Family Law Reform Act, 1975;
2. The Landlord and Tenant Amendment Act, 1975;
3. The Blind Persons' Rights Act, 1976;
4. The Succession Law Reform Act, 1976 (First reading only);
5. The Judicature Amendment Act, 1976;
6. The Evidence Amendment Act, 1976;
7. The Public Authorities Protection Amendment Act, 1976

Summary Convictions Act Review

The Summary Convictions Act is being reviewed, with a view to the developing of summary conviction procedure. This work proceeds concurrently with an exploration of the ways that various civil sanctions can be used to eliminate gaol sentences based on inability to pay a fine.

Family Law Review

The Division continues to devote most of its resources to Family Law Reform. The Family Law Reform Act, 1975, laid the legislative foundation for the reform.

The Division's Major project has been a comprehensive package of reform proposals in the areas of

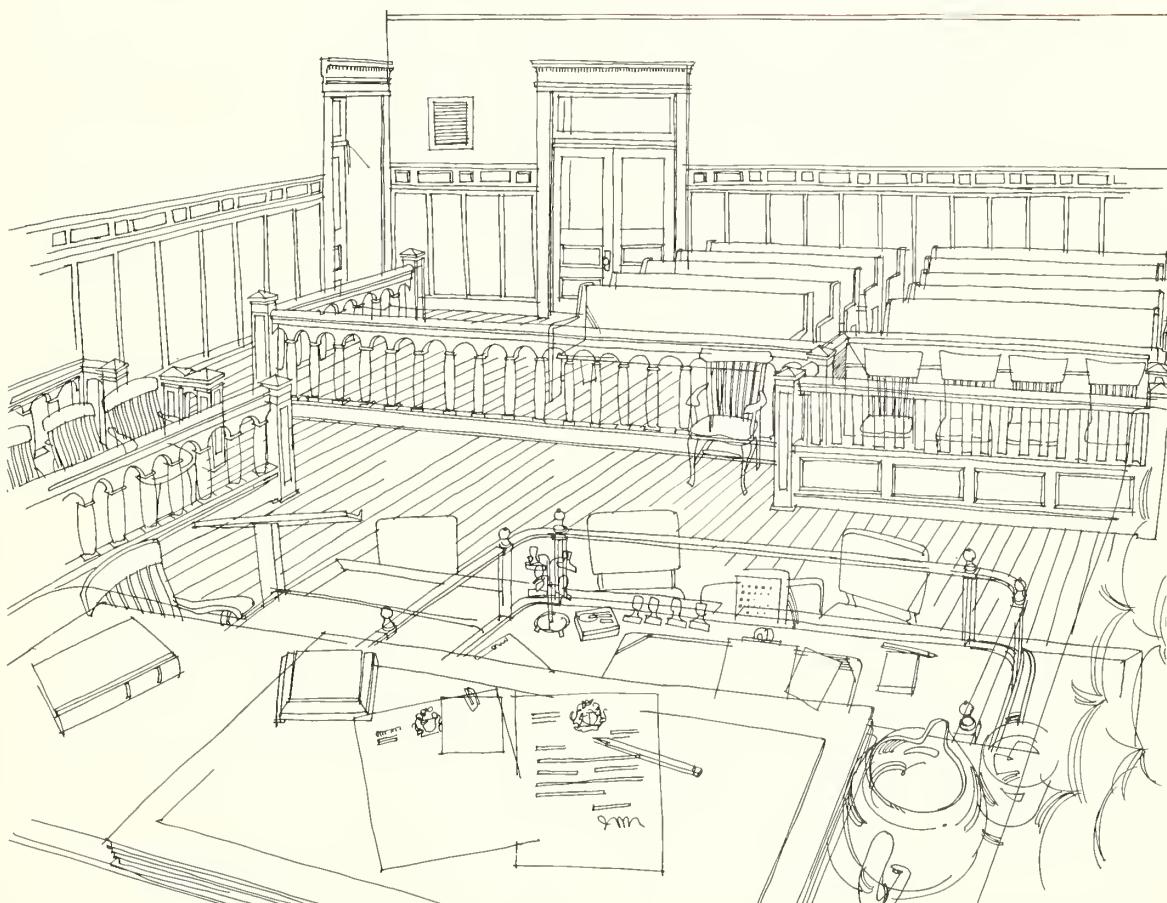
family property and support. Work has begun to provide the foundation for a review, analysis, and reform of the law relating to children.

Landlord and Tenant Matters

The Division was deeply involved in the development of the security of tenure amendments to the Landlord and Tenant Act and provides advice and liaison within the government on Landlord and Tenant and rent review matters.

Uniform Law Conference of Canada

The Division has undertaken a number of projects on behalf of the Ontario Commissioners to the Uniform Law Conference of Canada. A report was prepared this year on Powers of Attorney. This report, which is based on the work of three provincial law reform commissions, is intended to provide the basis for a draft uniform statute.



The Ministry of the Attorney General

Inspector of Legal Offices

Blenus Wright,
Assistant Deputy Attorney General

Responsibilities

The Assistant Deputy Attorney General and Inspector of Legal Offices is responsible for:

1. regulating the appointments of commissioners for taking affidavits, notaries public and justices of the peace;
2. provision of court reporting for all courts and supervision of court reporters and special examiners;
3. ensuring the provision of adequate administrative services to all courts and Observation and Detention Homes, including direction to sheriffs and court registrars, Criminal and Family Court administrators, Small Claims Court clerks and bailiffs;
4. liaison with the Ministry of Government Services and the responsibility for court accommodation;
5. development of a management information system;
6. maintaining liaison between the Ministry of the Attorney General and the judiciary, and the processing of judicial appointments to the Provincial Courts;
7. providing direction to and supervision of the Central West Development Project;
8. overseeing the Ministry's interest in the Native Courtworker Programme.

County and District Court Offices Small Claims Court Offices

Ron McFarland,
Director

County and District Court Offices

The Director provides administrative direction for County and District Court offices. In liaison with the Regional Co-ordinators through the Inspector of Legal Offices, he develops and implements Ministry policies relating to procedures and training programmes.

Appointments have been made upon the retirement of Sheriffs and Court Registrars during the past year:

Stuart Eggleston replaced James McBain in St. Thomas;
Bert Fraser replaced Charles Kennedy in Sarnia;
Robert Kohler replaced E.F. Conover in Peel;
John Bradley replaced Connie Thompson in Fort Frances;
and E.F. Conover was appointed Supreme Court Registrar in Toronto upon the resignation of Harold Poultney.

Regional Co-ordinators

The Regional Co-ordinators established good communication with all offices in their areas. Practices and procedures have been reviewed and, at several meetings with the Inspector of Legal Offices, standard procedures have been developed to assist the offices in processing an ever-increasing volume of litigation. Other changes are being assessed to ensure that persons using the Court system are adequately served.

Four Sheriffs' and Court Registrars' Newsletters have been published, to advise of changes in legislation, to suggest standard procedures for various processes and to provide general information to the officials.

Five Regional Seminars have been held to provide an opportunity for officials and deputies to broaden their skills and keep them abreast of amendments to the various statutes and rules.

Regional Co-ordinators are formulating sessions relating to taxation of costs as part of a continuing educational programme.

Small Claims Court Offices

The Director is responsible for the planning and preparation of recommendations to improve the operation of the Court offices. The Director is also charged with investigating complaints regarding day-to-day administration of the Court offices and providing administrative direction as required.

Small Claims Courts New Initiatives

During the past year a briefing paper was prepared on administrative and procedural matters and discussed general issues such as monetary jurisdiction, formal adjudication and the role of the Referee.

Based on this paper recommendations will be made for amendments to the Small Claims Courts Act. Forms and documents now used have been reviewed and standard forms are being designed. Regional Seminars are planned to provide Court officials with training in specific functions unique to Small Claims Courts, and to ensure standardization of practice and procedure throughout the province. A comprehensive plan is being prepared to establish the number of Courts necessary to adequately serve the needs of the public. An Information Booklet to inform the public of the functions of the Courts is being prepared.

Six Court offices have been closed reducing the number of Courts from 133 to 127.

A number of changes in personnel during the year should be noted:

Clerks of the Court

J.I. Jones	— St. Thomas
Mrs. Mary Anne Kelly	— Windsor
Mrs. E.E. Dexter	— Hamilton
J. Hughes	— Port Hope
Mrs. M. Moore	— North Bay
Mrs. T. Reed	— Atikokan
J.J. Ellis	— Walkerton
L. Belyea	— Kitchener
Mrs. Marian R.H. Sweeney	— Iroquois
G. Kallunki	— Haileybury
A.R. Merritt	— Ottawa

Bailiffs of the Court

N. Doff	— Cambridge
R. Culbertson	— Richmond Hill
T.H. Jarvis	— St. Catharines

Provincial Court Offices

Alex MacKay,
Director

The staffs of the Provincial Court offices continue to provide administrative support to the judiciary in the Criminal and Family Divisions and to serve the public, lawyers and enforcement agencies who use those courts. There are 113 main offices as well as 40 satellite locations. Many of the offices have been improved with renovations, decorating and additional space provided but many are still operating in inadequate facilities.

Criminal Division

Charges being received by the Criminal Courts continue to increase. The rate of disposition was 5.5% higher than the previous year, representing an increase of 148,000 prosecutions, bringing the total annually to 2.8 million. In some areas of prosecutions there were reductions. Highway Traffic Act charges were 3.4% lower than the previous year, and Federal cases 2.1%. However, these reductions were overshadowed by the large increase in cases involving municipal by-laws — 17.5% — and Criminal Code dispositions, which increased by 15.8%. The tremendous increase in by-law cases was experienced mainly in the five largest cities where facilities and staff are already under great pressure because of staff constraints. The Provincial Courts are now handling over one million by-law prosecutions. This problem is under consideration by Ministry officials and it is hoped new methods can be developed to process minor infractions.

During the year the Inspector of Legal Offices adopted office standards for the Criminal Division offices which were developed by the Courts Administration Project in the Central West Region. These standards were implemented in all Criminal Division offices during the last quarter of the year. It is hoped that the uniform standards will give greater flexibility of staff and eliminate unnecessary clerical functions. The standards have been well received by the court administrators and they will be given an opportunity to improve upon them from their experience. Ministry officials have been investigating the use of electronic computers and other equipment for large offices and it is anticipated some of the heavy volume areas may be assisted by these systems.

Family Division

The Family Court offices continue to have a fairly consistent caseload. Many administrators in this Division are having difficulty in completing their workload and considerable overtime has been necessary. Although the caseload is relatively a stable one, demands for services from the staff have greatly increased. The administrators and their staffs are being called upon to do more and more conciliation, social and counselling duties and consequently less time is available for administrative tasks. There is no doubt that these people are experiencing real pressure to accomplish their work. Additional staff has not been available and,

The Ministry of the Attorney General

with the present constraints, in order to continue to provide the past high levels of service, it will be necessary to search for alternate and, if possible, better methods of providing administrative support to the courts. There are no uniform office standards in the Family Division offices and the functional areas differ from jurisdiction to jurisdiction. Consequently staff resources, allocated in the past primarily on caseload, cannot meet all the objectives set in a particular jurisdiction. Every effort should be made to provide uniform service to the public and to obtain maximum use of staff resources by having similar office procedures and systems throughout the division.

Management Training

The Ministry is aware of the fact that the administrators of the court offices — supervising staffs totalling 1,600 people and who control the documentation and financial requirements for nearly three million prosecutions and the accounting for over fifty million dollars — should have training in modern management techniques. Some have taken advantage of the management training courses provided by the Civil Service Commission and others have attended Community Colleges for the same purpose. The Ministry has requested the training staff to develop a management training program to begin next year. It will encompass all administrators of court offices, and may extend eventually to other employees.

Detention Homes

The Ministry again increased the funding for juvenile detention and group home facilities. During the year a new detention home was opened in London.

Several judges have requested the Ministry to provide group homes which would provide a safe place for children not requiring a locked setting, and negotiations have been held to try and provide this service. As in the past, the Ministry hopes to be able to add to these facilities each year as funds become available. Many judges in the rural areas have received authority from the Ministry to use private homes as foster homes for children awaiting disposition in the Juvenile Courts.

Detention home staffs have been maintained at five children to each regular child care worker.

This ratio is considered an acceptable level and is indeed better than five to one when casual help is taken into consideration. There are five locked facilities at Hamilton, London, Ottawa, Toronto and Amherstburg which provide 153 beds and have an occupancy level of 54.5%. A total of 3,195 juveniles passed through the detention system and the average length of stay per child was 6.6 days. The entire staff of these institutions — supervisors, child care workers, support staff of teachers and social workers as well as the food services' personnel — continue to provide a dedicated service to these children, often under very difficult circumstances.

Provincial Court (Criminal Division)

Chief Judge F.C. Hayes

Court Sittings

Increased activity in the Provincial Court (Criminal Division) was attributable to both an increased caseload and a change in the nature of the caseload.

Increased development in and about existing municipal boundaries in some areas of the province, has been encouraged by the provision of additional municipal and transportation facilities. This has brought about a shift in population which has a very direct bearing on the increased caseload.

In order to cope with the increasing and changing nature of the caseload and in order to shorten the period from the date of offence to the final disposition of the matter, it was necessary to maximize the use of available judicial personnel, facilities, and time. Some of the procedures utilized to this end are as follows:

1. Continual assessment of the caseload by Senior Judges and the office of the Chief Judge followed by relevant revisions to court sittings and Judges' assignments and the movement of personnel to establish additional sittings where required for the trial or preliminary hearing of cases which could not readily be accommodated within the ordinary sittings of the court.
2. Institution of specialized rather than general court lists.

3. Review by the Chief Judge's office, with the co-operation of the Senior Judges, of court sittings in heavy caseload areas and re-allocation of judicial resources to make more sitting days available for relief work, lengthy trials or preliminary hearings.

4. Increased use of Justices of the Peace in all areas for the trial of minor liquor and traffic offences and for the adjournment and remand of some criminal matters. In many areas, court sittings commence at nine o'clock, with a Justice of the Peace or a Provincial Judge taking a court for the purpose of remands and setting of trial dates so that the public may be dealt with promptly and counsel may be released for other commitments.

5. A recommendation to the Ministry for an increase in the number of judicial personnel based on locating the additional personnel in central locations so as to provide assistance to adjoining areas.

The Chief Judge's office is developing a programme to obtain some uniformity in the time between the laying of the Information and the return date for the accused to appear. Uniform forms of direction are being instituted and will be forwarded to law enforcement agencies indicating the periods within which the process of the courts must be made returnable. It is hoped this way to dispense with some of the delay which now presents a problem in the case initially appearing before the court.

The growing caseload and the shortage of Judges and competent Justices of the Peace in some areas has, despite improvements in scheduling procedures and the use of Justices of the Peace, caused difficulty in providing adequate sittings of the courts when Judges are absent because of illness, vacation, or on special assignments for the trial or preliminary hearing of lengthy cases.

A substantial number of prosecutions under miscellaneous provincial and federal statutes, such as those relating to construction safety, the environment, combines investigation and income tax, continue to occupy many days of court time and to require many hours of judicial time for the consideration of submissions, research, and writing of judgments. In addition, there has been a considerable number of special criminal prosecutions by counsel from the Ministry of the Attorney General which have necessitated special assignments of

Judges and lengthy trials and/or preliminary hearings.

The statistical analysis representing the increased caseload is only a partial assessment of the problem. There has been a very discernible change in the nature of the caseload in that there are many lengthy criminal prosecutions, be they trials or preliminary hearings, and this has been reflected in the special assignment of Judges to various areas of the province to deal with matters which could not be accommodated in the ordinary court list.

In Metropolitan Toronto, the number of courtroom days allocated to special criminal prosecutions (that is, cases occupying one day or more) increased to 683 in the fiscal year 1975-76, an increase of 105%. Federal prosecutions for special matters accounted for 167 courtroom days in 1975-76, an increase of 42.73%. Special federal prosecutions in Metropolitan Toronto in 1975-76 occupied 24.45% of the courtroom days allocated for special matters. The movement of Judges from Metropolitan Toronto to other areas for special relief decreased slightly from 189 Judge days in 1974-75 to 185 days in 1975-76.

Existing physical facilities and staff in Metropolitan Toronto cannot adequately cope with the existing caseload, but this matter is being continually reviewed in an effort to find solutions that are consistent with the available facilities, staff and the monetary restraints.

Since the implementation of the new bail provisions of the Criminal Code, Justices of the Peace have been assigned to conduct bail hearings in many areas in order to avoid the possibility of a Provincial Judge being disqualified from hearing the trial of the matter.

An increasing demand for the court to attend in remote communities in Northwestern and Northeastern Ontario has been met in most instances by scheduling special sittings. In one or two areas wheather conditions and the availability of facilities in which to hold court caused some problem.

Visits have been made to many remote communities in Northwestern and Northeastern Ontario either by the Chief Judge or by another Provincial Judge, usually in the company of the Crown Attorney, Duty Counsel, a representative of the Ontario Provincial Police, and in some cases, an Indian Court Worker. Particular court dates are being set

The Ministry of the Attorney General

in fort Albany and Attawapiskat and more frequent trips are being scheduled to various communities in Northwestern Ontario to meet their growing needs.

In the Thunder Bay area, a sitting Justice of the Peace has been attending in such locations as Geraldton, Nipigon, and Manitouwadge and some other communities for the trial of provincial statutory offences, in order to provide an earlier disposition of charges and to make more time available for criminal trials.

The Ontario Provincial Police are now policing approximately 22 reserves in Northwestern Ontario and an increasing number of reserves in Northeastern Ontario. This level of law enforcement has led to an increased number of charges and we have been unable to respond adequately to the need for additional sittings in various areas of Northwestern Ontario. At present, some of the court locations have been re-assigned to other Judges but this will not adequately serve the needs of the area. There has been a substantial increase in mine development in Northwestern Ontario, resulting in increased population and a consequent increase in the demand for court services.

North York Traffic Tribunal

The North York Traffic Tribunal, which was outlined in the previous Annual Report, has been operated with a continuing high level of acceptance by members of the public. The informal nature of the hearings, the extended hours of operation, and the operation of the Driver Improvement Centre have all contributed to this continued public acceptance.

One of the original purposes of the tribunal concept was to reduce the ordinary adversary process which is present in the prosecution of criminal charges. This was accomplished by the withdrawal of the prosecutor from the trial of less serious traffic charges.

The tribunal concept will be extended to include cases involving accidents and/or personal injury where a licence suspension is not a possible part of the penalty. It is hoped that by this extension of the procedures at the tribunal, the adversary process ordinarily present in a criminal court will be removed from the trial of these cases and there will be a more informal approach to the hearing of the pleas of guilty with an explanation and the trials of these offences.

Effect of the Ontario Legal Aid Plan

It is clear that utilization of the Ontario Legal Aid Plan by accused persons is increasing. While the Plan greatly aids accused persons, it has increased the potential for delay in the administration of justice.

Accused persons do not always make prompt application for assistance, even though the courts generally allow a three-week adjournment for this purpose. Information which the Plan requires before issuing a certificate is not always speedily provided, thus necessitating a further adjournment to permit completion of the application. Also, where persons are jointly charged, it is not uncommon for one or more of them to fail to retain counsel, necessitating further delays before a trial date can be set.

In some areas, including Metropolitan Toronto, part of the operation of the Plan has been relocated in the Provincial Court Building. This improves the Plan's early contact with accused persons, thereby facilitating an early decision by the Legal Aid Office as to whether or not an accused will be granted a certificate under the Plan.

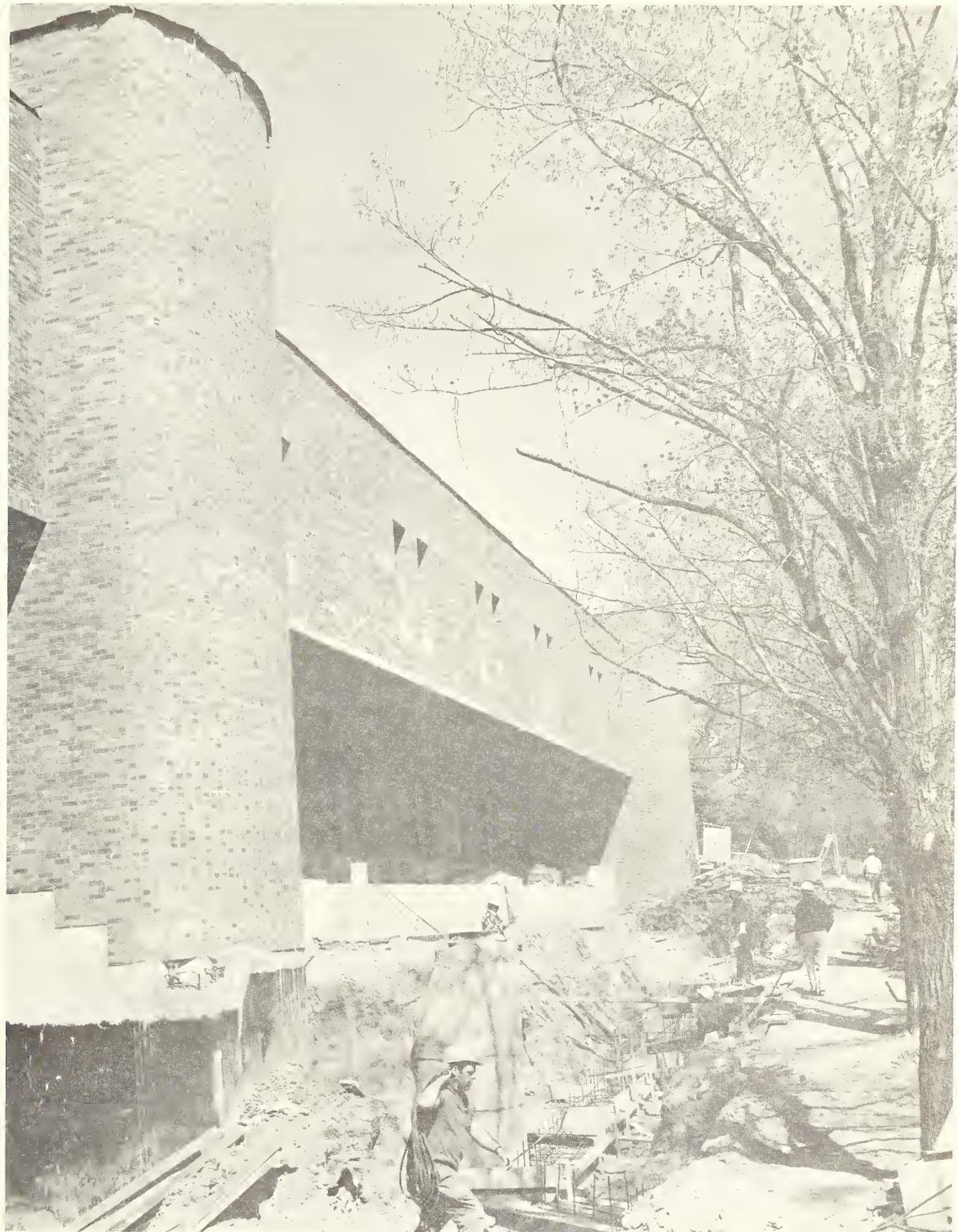
Court Visitations

During the past year, the Chief Judge visited a majority of the areas of the province and met with Provincial Judges and their staff; met with the nine Senior Judges, discussed problems in their particular areas, and distributed papers on various legal topics to be used for their Area Senior Judges' meetings.

Area Senior Judges held regional meetings to discuss legal matters and to consider scheduling procedures, uniformity of sentencing, etc., with the Judges in the area. The Chief Judge attended these meetings and also discussed the substantial effect on court scheduling procedures when counsel fail to attend in the Provincial Court (Criminal Division) because of their attendance at sittings of the County or Supreme Courts.

The Chief Judge discussed with the Senior Judges and a number of individual Judges the desirability of meeting with County and District Court Judges in their area in an effort to establish some system of co-operation between the courts to avoid trial dates being set involving the same counsel in two different courts for the same period. Co-operation in this area has been increasing.

View from the south-west corner of the new Court House in Barrie. Expected completion date – November, 1976.



The Ministry of the Attorney General

Judicial Education

The office of the Chief Judge reviews judgments of the Court of Appeal and the law reports and circulates matters of interest to all Provincial Judges in the Criminal Division. The Law Clerk assigned to the staff of this office assists in preparing appropriate annotations for recently reported judgments and assists in carrying out research in areas of criminal law relevant to the Provincial Court (Criminal Division), including rendering assistance to Judges in preparing judgments.

All Provincial Judges (Criminal Division) have now had the opportunity of attending the Judges University Education Programme, which permits a Judge, once every three years, to live for one week in a university setting, during which time papers are presented by law professors, judges, senior crown counsel, and defence counsel, followed by discussion periods. In 1975, a committee of the Provincial Judges Association (Criminal Division) and the Chief Judge's office prepared a videotape dealing with joint trials. The videotape was supported by research material which was distributed to the Judges in Ontario and has been

requested by Provincial Judges of other provinces.

The Provincial Judges Association (Criminal Division) carries on an active education programme financially supported by the Ministry. It is composed of regional sentencing seminars and central education seminars, with papers prepared by Judges and other speakers for discussion and subsequent distribution to the Judges.

To assist Judges in the sentencing process, the Provincial Judges Association and this office, with the co-operation of the Chief Justice of Ontario and the members of the Court of Appeal, established a programme in which each Provincial Court Judge in the Criminal Division spends three days in Toronto observing the argument of criminal appeals and discussing sentencing problems with members of the Court. This extremely successful programme is funded by the Ministry and represents an entirely new approach toward assisting trial Judges in dealing with the day-to-day problems of sentencing in the Criminal Division. As a sequel to this programme, the Honourable Mr. Justice Martin presented at the University Education Programme a paper entitled "The Offender as a Person."

Judicial Appointments

	1972	1973	1974	1975	1976	as of Mar. 31,
Provincial Judges in Ontario						
Number of Full-time Judges as of December 31	107	108	118	117	117	
Number of Judges Retired or Deceased or on L.T.I.P.	7	7	5	6	7	
Number of Judges Appointed	7	7	15	5	7	
Number of Part-time Judges	2	2	2	2	2	
Number of Judges on Extension	4	5	5	6	6	

As of January 1976, fourteen (14) of the above Judges were also presiding in the Family Division.

Provincial Judges in Metropolitan Toronto

Number of Full-time Judges, including Chief Judge, as of December 31	22	23	28	29	28
Number of Judges Retired, Deceased or Resigned	2	0	0	0	1
Number of Judges Appointed	1	1	5	1	1
Number of Judges on Extension	2	2	2	1	2

The above shows only Metropolitan Toronto. To calculate figures for the Judicial District of York, it will be necessary to add one full-time Judge — Judge R.G. Pearse, and to show one Resignation — Judge C.W. Morrison.

Justices of the Peace Education Programme

The Justices of the Peace Continuing Education Programme completed its third year of operation March 31, 1976. As part of this programme, each active Justice of the Peace received papers on various topics; Justices of the Peace Handbook containing selected statutes; selected samples of forms relating to the criminal process; copy of the Criminal Code.

The Justices of the Peace Education Programme Committee also produced videotapes relating to various papers and presented them at three-day sessions in ten locations across the province. Attendance at these meetings has been excellent, and an estimated 600 Justices of the Peace received the benefit of the training programme.

Court Accommodation

Mr. Blenus Wright, Assistant Deputy Attorney General, has established an Accommodation Committee within the Ministry, and the Chief Judge's office has had the opportunity of providing details with respect to the projected requirements for six Provincial Court (Criminal Division) facilities.

Also, this office has prepared a draft of appropriate requirements for a prototype of a Provincial Court (Criminal Division) multi-courtroom building. These have been incorporated in a brief which has been submitted by Mr. Wright to the Ministry of Government Services as being the suggested requirements for courthouse construction.

A brief was also prepared setting out a proposal for possible rental accommodation for criminal court-rooms in the suburbs of Metropolitan Toronto.

Statistics

The graphical analysis by the Management Information System of the Ministry indicates that for the area outside the Judicial District of York, the number of new charges in the system under all statutes at the end of the first quarter of 1973 was approximately 340,000 charges, rising to approximately 360,000 charges at the end of the second quarter of 1973.

In 1974, the figures rose to a high of 410,000 at the end of the second quarter; in 1975, after a decrease during the latter part of 1974, the number

of charges in the system rose to 410,000 in the middle of 1975, with the number of charges received during the last six months of 1975 decreasing to approximately 350,000. This number increased during the first quarter of 1976 to approximately 360,000.

In the Judicial District of York, there was a period of time for which the figures were not available in the form necessary for Management Information statistics; but from the end of the second quarter in 1974, there was a continuing general rise from 340,000 charges to a high of 540,000 charges at the end of the second quarter of 1975, with a general levelling off at approximately 535,000 charges at the end of the first quarter of 1976, thereby indicating a substantial increase over this period.

In Metropolitan Toronto, notwithstanding the problems with available facilities, there were 85,288 Criminal Code dispositions in 1975-76 compared with 73,884 in 1974-75, an increase of 15.43%.

In Metropolitan Toronto in 1975-76, there were 472,511 Summary Conviction Tickets issued compared with 420,225 issued in 1974-75, and notwithstanding this increase of 12.44% and with a backlog of 428,218 charges at the end of 1974, the backlog has been reduced to 345,151 as of December 31, 1975, by a reorganization of the sittings of the court and the caseload.

General

Substantial emphasis is and will continue to be placed on implementing programmes of pretrial disclosure in criminal matters. It is hoped by this pretrial disclosure process, which is initially being operated in Ottawa, that the time spent with trials and/or preliminary hearings will be reduced.

If staff and facilities are available, it is hoped to have some pilot projects whereby the majority of uncontested adjournments would take place outside the courtroom before a Justice of the Peace at any time during regular business hours prior to the next date set for the appearance of the accused in the courtroom. If this can be accomplished, it should relieve the courtroom facilities of a substantial number of repetitive procedures, and if accused persons wish to co-operate, they would be able to attend at some time during regular business hours and avoid losing an entire day's work.

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Some of the benefits which should be derived from the above procedures are:

1. More courtroom hours available.
2. Better use of staff and facilities.
3. Reduction in the number of witnesses required to attend to give evidence.

Coupled with the adjournments on consent before a Justice of the Peace would be a system of caseload control whereby counsel for the accused, after meeting with the Crown Attorney, would be able to indicate to the caseload control centre his available dates for trial. If the witnesses are available and the date suggested by counsel is within the guidelines indicated by the Judge, a date would be allocated by the control centre and the accused could then attend as indicated above to have his case adjourned to that date.

The substantial amendments to the Criminal Code in Bill C-71 and in subsequent bills now before the House of Commons have been studied by the Judges at regional education programmes. This legislation makes an important change in bail provisions. Since the onus is on the accused in several situations to show cause why he should not be detained, a considerable increase is expected in the amount of court time and the number of adjournments which will be required prior to the final disposition of bail hearings.

A noticeable improvement has occurred in the number of outstanding minor traffic charges and the disposition date has been improved by methods which the Chief Judge's office has directed with respect to the sittings of the courts.

In Metropolitan Toronto, the Ministry has retained consultants to introduce new programming for the computer caseload system which, it is hoped, will match the needed court facilities to the number of charges laid by each officer. If this system is implemented in 1976-77, it is hoped that there will be a further general improvement in the disposition date for minor traffic offences.

Provincial Court (Family Division)

Chief Judge H.T.G. Andrews

The Family Courts administer those branches of federal and provincial legislation designed to ameliorate family breakdowns and process matters con-

cerning children who are in conflict with the law. The special nature of their functions makes it necessary for them to provide a range of integrated social and legal services unique in the provincial court structure.

Complement of Judges

At the end of the fiscal year there were forty full-time Family Division Judges. During the year three Judges retired and six new Judges were appointed. In addition, there were fourteen Judges serving both in the Criminal and Family Divisions and ten part-time or per diem Judges, an increase of four over the previous year.

The Ministry has received approval to appoint an additional ten full-time Family Court Judges.

Automatic Enforcement of Maintenance Orders

The majority of maintenance accounts are administered under an 'automatic' enforcement system which provides for continuous monitoring of payment flow by court personnel and, where necessary, counselling and/or court action to collect arrears.

The necessity to husband human resources in the past months has occasioned, in some areas, the lack of judicial and administrative time necessary to operate the program at maximum efficiency; however, steps are being taken to overcome this problem. The continued participation of Parental Support workers from the Ministry of Community and Social Services has proved invaluable in maintaining the social wing of the program.

Despite these difficulties the average amount collected per account is, once again, increased over the past fiscal year.

Judicial Education and Administrative Training

Family Court Judges attended training sessions in Kingston, Ontario during October and November of this year and continuing educational programs were conducted at the Family Court Judges' Association Seminar in April and again at the Annual Meeting in September.

As part of the education program, Judges representing the Family Court attended Family Law Conferences in Seattle, Banff, Quebec, Ottawa, Los Angeles and Toronto. Judges attending these conferences prepared complete reports which were circulated to all Judges.

Administrators of Family Court Offices attended programs in Toronto pertaining to the Juvenile Delinquents' Act, the Deserted Wives' and Children's Maintenance Act and the Child Welfare Act. These programs were developed and staffed by the office of the Chief Judge of the Family Court. Those Administrators who are Justices of the Peace attended sessions conducted by the Chief Judge of the Criminal Division in various locations throughout the province.

Conciliation Project

In July 1975, Drs. Irving and Gandy, professors at the School of Social Work, University of Toronto, completed their report on "An Assessment of the Need for Conciliation Services in the City of Toronto and a Proposal for a Demonstration Project". Funded by the Department of Health and Welfare through the Office of the Chief Judge, this study examined existing private conciliation services to determine the extent to which such services may be available to Family Court clientele, the amount of training necessary for the purpose and assessed the need for such services.

Recommendations arising from the study are currently under examination and action arising therefrom should get underway in the next fiscal year.

The Central West Courts Administration Project

David Thornton,
Co-ordinator

The Attorney General's Advisory Committee — Central West

Two changes were made to the Attorney General's Advisory Committee. With Mr. Justice T.G. Zuber's elevation to the Court of Appeal, Mr. Justice T.C. Callon was named the representative of the Supreme Court. In response to a request from The County Law Associations within the Central West Region, two lawyers were named to the committee to represent the bar, J.R. Barr, Q.C., of St. Catharines and W. Morris, Q.C., of Hamilton.

The Management Team

Membership in the Management Team has remained the same, except for the appointment of A.K. MacKay as Director of Provincial Court Offices.

He has assumed these duties in addition to his duties on the Management Team.

Caseflow Management

Responsibility for caseload management was one of the most controversial aspects of the Ontario Law Reform Commission Reports on the Administration of Ontario Courts. The Commission recommended a split responsibility, with the judiciary assigning judges and administrative staff setting case lists and schedules.

The Halton caseload experiment and the extensive discussions held by the Advisory Committee on the duties of a Regional Director of Courts Administration were the focus by which the Advisory Committee reached its conclusions regarding caseload management. The Advisory Committee recommended to the Attorney General that the responsibility for caseload management should rest with the judiciary. Accordingly, His Honour Chief Judge F.C. Hayes of the Provincial Court (Criminal Division) assumed the responsibility for making the necessary changes in the Halton caseload experiment.

Court Reporting

Studies continue into feasibility of implementing the recommendations of the Ontario Law Reform Commission regarding court reporting. The Management Team has been gathering statistical information on the activities of court reporters since January 1976 in order to assess the impact of the recommendations if implemented.

While recognizing the need for skilled court reporters, electronic recording equipment is now being used extensively throughout the Central West Region. Plans are underway for installation of electronic recording equipment in several other courts.

Standardization of Office Operations Provincial Court (Criminal Division)

Standard office procedures were implemented within the region in January 1976. While the reason for standardization was to have the most effective procedures consistently applied throughout the region and to have a solid base for resource planning and utilization, limited variations were permitted in special conditions. Standards are consistently being reviewed and improved.

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Studies are now being made to determine whether the mechanization or computerization of certain aspects of court office procedures in the larger urban court offices would improve service levels and effect further economies.

Standard office procedures developed and implemented in Central West, have now been implemented throughout the province.

Standardization of Office Operations Provincial Court (Family Division)

A manual of standard office procedures was developed for the Provincial Court (Family Division). However, it was felt that this manual was too limited and should also include standards relating to intake counselling and the legal aspect of court office operations. The production of a more comprehensive manual is now being co-ordinated by His Honour Judge J.E. Van Duzer.

Training

In order to develop a more professional approach to courts administration a training program for court administrators is now being developed in conjunction with the Personnel Management Branch of the Ministry and a community college.

Management Information Systems

Good information systems are vital to the effective management of any organization. Consequently, the Management Team has been working extensively with the Management Information Systems Branch of the Ministry in order to develop better information systems. A pilot project of a Criminal Information System is underway within Central West.

Court Reporting and Appointments

Ron Schurman,
Co-ordinator

Court Reporting

The Co-ordinator develops and implements policies for court reporting services in all levels of courts in the province, as well as in certain boards, commissions and tribunals. He maintains a continuing review of the court reporting function to ensure

equitable and uniform practice through the province.

The Co-ordinator also provides direction and support to the offices of the Special Examiners in Toronto, Hamilton, Ottawa and Windsor.

A recommendation for a new Tariff covering Special Examinations has been placed before the Rules Committee of the Supreme Court. It is hoped this will provide incentive to Special Examiners to continue in the important role they play within the courts structure.

Methods of Reporting

There are approximately 380 full-time court reporters and 125 hired on a freelance basis. Short-hand and Stenomask reporters continue to supply the backbone of reporting services, although the electronic recording of proceedings is under constant review by the Ministry.

With the completion of the new Barrie Court House, Ontario will have its first totally electronic reporting system. Proceedings will be recorded on a master tape which will serve as the archival record of the courts, while the reporting staff will produce a record for the production of transcript.

Training programs have been started to increase the supply of new reporters, and new standards set to assure a continuing high quality of reporting skills. A new transcript format has been proposed to ensure page uniformity across the province and to permit greater scrutiny of transcript quality.

With the advent of Justice of the Peace Courts, demand on court reporters' time has greatly increased, leading to the installation of electronic recorders operated by monitors.

Appointments

The Co-ordinator assumes responsibility, delegated by the Inspector of Legal Offices, for all Justices of the Peace in the province. This involves receiving and evaluating requests for appointments, maintaining and up-dating records of over 600 Justices of the Peace and monitoring and developing training programmes. He also investigates inquiries and complaints concerning Justices of the Peace.

He is also responsible for the development and administration of policies concerning the appointment of Commissioners for Taking Affidavits, and Notaries Public.

A brief has been prepared regarding the non-judicial use of affidavits, in the hope that the requirement for sworn affidavits in commercial transactions can be greatly reduced or eliminated, allowing for greater protection of the public.

Courts and Office Accommodation Planning

Bill Thomson,
Accommodations Advisor

Accommodation

The Ministry, with the cooperation of the Ministry of Government Services, Program Management, Planning and Research, Realty Services and Property Management Branches has continued providing additional court facilities and upgrading and expanding existing court and office accommodation throughout the province.

Projects Completed

The Juvenile Observation Home in London incorporated a new design which stressed safety and also provided kitchen, play and classroom facilities. Alterations at 145 Queen Street West and Osgoode Hall in Toronto provided two additional Civil Jury courtrooms and increased administrative support areas respectively. The Provincial Court (Family Division) for Halton, previously located in leased accommodation in Georgetown was relocated in Government owned premises in Milton. Office facilities at 18 King Street East, Toronto, were altered to accommodate new programs and additional professional staff.

Projects under Construction

The Barrie Court Building was scheduled for completion in late 1976. Also under construction are:

1. Improvements at the Old City Hall Provincial Court (Criminal Division), which will provide additional offices for judges and a modern ground floor administrative area;
2. Alterations to the Ottawa Provincial Court (Family Division) to provide an additional court-room and support facilities;
3. Renovations to Hamilton Provincial Court (Criminal Division) to provide two additional Traffic courtrooms and ancillary services;

4. Relocation of the Kingston Provincial Court (Family Division) in more suitable accommodation, to provide space for an additional courtroom.

Projects in the Contract Stage:

1. Kitchener Provincial Court House;
2. Relocation of the Windsor Provincial Court (Family Division) from leased quarters to a Government owned building;
3. Provision of an additional courtroom for the Brampton Provincial Court (Family Division);
4. Relocation of the Brampton Sheriff's office to provide expansion space for the County Court Building;
5. Relocation of the Dryden Provincial Court (Criminal Division) from leased to Government owned space to provide for expansion of facilities.

Projects in the Planning Stage:

1. Consolidated court buildings in Scarborough, North York, Etobicoke, Newmarket, Lindsay, Whitby, North Bay, St. Catharines, Brockville, Toronto, Guelph, Ottawa, Hamilton and Sudbury;
2. Interim consolidation of court facilities in Scarborough, North York, York and Etobicoke to provide better service pending construction of consolidated court buildings;
3. Major renovations for Hamilton County Court, Ottawa Provincial Court (Criminal Division), Whitby County Court, Kenora District Court, Brampton County Court, Simcoe County Court, and Old City Hall Provincial Court (Criminal Division), Toronto.

Management Information System

Dorothy J. Bryson,
Co-ordinator

Criminal

During the past year the Criminal Information System was implemented in all counties of the Central West Region. It is a caseload system in which index cards and court dockets serve as source documents. Data from court offices are submitted daily to the Hamilton Keying Centre and relayed to Toronto. The information is used to update a master file on court activity. Regular reports

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are run on a monthly basis and special reports can be provided on request. The system also permits retrieval of information on an ad hoc basis. Thus it is flexible enough to meet needs for detailed and aggregate information.

Minor Offences

Also in the past year, an information system for cases involving provincial statutes, municipal by-laws, and federal statutes not included in the Criminal Information System was implemented in one county in the Central West Region. Court dockets are the major source of information. The information is transmitted to the Hamilton Keying Centre, checked and passed on to Queen's Park for use in updating files on major offences. It is expected that after the system has been evaluated, it will be put into effect throughout the region.

Drinking/Driving

A system for collecting data on drinking/driving offences was designed late in the past year. The information permits a county-by-county analysis of the number of offences, the dispositions and sentencing patterns.

Statistics

The Statistics Group, responsible for the production of quarterly and annual reports, published its first fiscal year report in the past year. The report provided comparative statistics on court activity for the previous three fiscal years, and demand for it required two reprints. As a result of suggestions from users of the first volume, this year's report is being modified to include information on the flow of cases during the year (i.e. cases added, disposed and pending).

Federal/Provincial Coordination

The Coordinator of the Management Information System is Ontario's delegate to the Federal/Provincial Advisory Committee on Judicial Information Systems and Statistics. Included in the Committee's work in 1975-76 was a recommendation to the Ministers involved that data collection should be the responsibility of local justice authorities, and that dissemination should be done at a provincial level to the federal government. The objective is to reduce duplication of work by everyone involved in collecting and disseminating judicial statistics in Canada.

Construction of a new government building is now underway in Kitchener. A Court House and Registry Office will be located here.



Crown Attorneys System

John Greenwood, Q.C.,
Director

History

Prosecuting authority rested originally with the Attorney General and his officers at the capital of Upper Canada. As the population expanded numerically and geographically it became increasingly difficult to carry out this responsibility from one central office. In 1857 authority was granted for the creation in each county of the province of a prosecution office under the direction of a Crown Attorney appointed by the Governor. He was required to be a resident of the county, and as such was a part of the local administration of justice which included the local sheriff, the local trial and the jury made up of local residents.

Modernization has strengthened the relationship between the Crown Attorney, with his local responsibilities, and the Attorney General, who is responsible for the administration of justice throughout the province. In 1955, the office of Director of Public Prosecutions was created to coordinate the activities of the local Crown Attorneys. In 1964, authority was given for the appointment of Crown Attorneys at large, to act as special prosecutors in difficult or specialized cases. The desire for improved communication in the system gave rise in 1966 to the Crown Attorneys Association, a voluntary group of Crown Attorneys and their assistants who meet to discuss common problems, conduct seminars to keep pace with the changes in the law, and promote an interchange of personnel to deal with temporary absences or unusually busy trial schedules.

Composition Today

The Division is composed of approximately 175 lawyers who specialize in the criminal law. Besides the Director and Deputy Director of Crown Attorneys in Toronto, there are 48 Crown Attorneys and their Assistants in offices throughout the province. The largest local office is the Judicial District of York where the Crown Attorney is assisted by a Deputy, a Senior Advisory Assistant, and 46 Assistant Crown Attorneys. The other offices have staffs ranging in number from one to nine lawyers. In addition, there are three Crown Counsel employed on a contract basis for

one year who are assigned from time to time by the Director to local offices requiring temporary assistance. Finally, the Crown Attorneys in the Division supervise 332 part-time assistants who are local lawyers throughout the province commissioned on a daily basis.

Responsibilities

The Crown Attorneys System is responsible for the conduct in Ontario of prosecutions under the Criminal Code and other federal statutes such as the Lord's Day Act and the Juvenile Delinquents Act. From time to time Crown Attorneys also conduct prosecutions under such provincial statutes as the Highway Traffic Act and the Liquor Licence Act. Crown Attorneys and their assistants exercise the Attorney General's discretionary powers with respect to prosecutions. They choose the appropriate charges upon which to proceed, consider the release of prisoners pending trial, and conduct the trial of cases in court.

Crown Attorneys also supervise private prosecutions and intervene if the interests of the community should require it.

Regionalization

This year the Attorney General has proposed the designation of ten existing Crown Attorneys as Regional Crown Attorneys who will be the local representatives of the Director and who will relay to him matters of concern among the Crown Attorneys in their district. In addition to continuing to discharge his duties as Crown Attorney within his own county, the Regional Crown Attorney will confer with other Crown Attorneys within his district and attend regular meetings with the Director in Toronto. He will facilitate the exchange of information among his colleagues and will regularize the now informal relief assistance by deploying the available manpower within his district. It is expected that this proposal when implemented will further promote the uniformity of service and application of high standards within the Crown Attorneys System.

Decentralization of York

Although the population of Metropolitan Toronto has increased by only a third since 1961, there are almost four times the number of cases and almost four times the number of courts operating to deal with them. The increase is accounted for by many factors, such as Legal Aid's effect in prolonging the

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duration of criminal cases, the Bail Reform Act, which until recently saw a number of offences generated by accused persons awaiting trial, and a proliferation of drug and drug-related offences as well as new crimes arising from the abuse of credit and banking facilities.

In order to relieve the resulting congestion of the Toronto courts and improve the quality of service in that city, the Attorney General has proposed decentralizing the courts and the Crown Attorneys office in the Judicial District of York. The proposal would establish three suburban courts in Metropolitan Toronto, each associated with a police division. Each of these courts will comprise nine to ten courtrooms and its own Crown Attorneys Office. Some of the staff for the new offices will be filled by the existing staff of the York Crown Attorneys Office and the remainder will be filled by the assignment of additional complement.



Crown Law Office

Clay M. Powell, Q.C.,
Assistant Deputy Attorney General

Criminal Appeals and Special Prosecutions Branch

R.M. McLeod,
Senior Crown Counsel

Composition

The complement of the Branch was increased during the year from 16 to 17 lawyers — all specialists in the field of criminal law — whose duties are to represent and advise the Crown at both trial and appellate levels in criminal litigation.

Main Function

Appearances in the Supreme Court of Ontario and Supreme Court of Canada on behalf of the Crown on criminal appeals and motions in respect of both summary conviction and indictable offences continued to be one of the principal functions of the Branch. Appeals to the Court of Appeal for Ontario in relation to indictable matters continued to require the largest amount of both time and manpower particularly in view of the ever-increasing numbers and complexity of such appeals and the increased frequency with which the Court sits to determine them.

Appearances on judicial interim release hearings in murder cases, pre-trial judicial interim release review hearings, release pending appeal applications and contested motions and summary conviction appeals in Weekly Court and Chambers involve daily attendances in the Supreme Court of Ontario.

Increasing Volume of Appeals

The volume of criminal appeals in the Ontario Court of Appeal has increased to the extent that the traditional practise of devoting two weeks of each month's sittings to such appeals is virtually a thing of the past. The Court now customarily sits at least three weeks per month and frequently four. It continues to hear an average of 20 to 25 cases each week.

The number of appeals by both accused persons and the Crown increased again during the year. But the volume of outstanding appeals at the end of the fiscal year remained approximately at the level of recent years, a tribute to the members of the Branch.

Other Court Appearances

Court appearances by lawyers in the Branch encompass diverse matters involving various applications of the Criminal Code of Canada.

Weekly Court and Chamber matters include mandamus, prohibition, certiorari and habeas corpus applications, stated cases and Juvenile Delinquent Act appeals. These require one lawyer at least three days a week, and often as many as three lawyers two or three occasions a week.

Applications for leave to appeal and appeals in the Supreme Court of Canada require at least one lawyer every two weeks. When applications are granted, more lengthy subsequent appearances are required for the hearing of the appeal.

Despite recent procedural changes in relation to judicial interim releases and review applications, the sizable increase in such applications often necessitates the daily appearance of two lawyers in different courts to ensure that the case for the Crown is properly advanced and that dangerous offenders are not at liberty prior to their trial.

Special Prosecutions

An increasing portion of the workload in this Branch is in the area of special prosecutions, largely in relation to complicated commercial transactions involving allegations of fraud, corruption and conspiracy. Expanded specialization in the commercial fraud area by the Metropolitan Toronto Police, the Ontario Provincial Police and the R.C.M.P. has created a significant increase in the demand for equally specialized prosecutorial assistance. This is essential not just at the trial or preliminary hearing stage, but in many cases from the very outset of the investigation. Several members of the Branch, having developed expertise in this area, devote an increasing part of their time and effort to these lengthy and demanding prosecutions.

Advice and Assistance

In addition to appellate and trial work, the Branch is available at all times to provide advice and assist-

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ance to other government departments, local Crown Attorneys and others involved in the administration of justice in Ontario. This assistance may involve the preparation of formal opinions, service on interdepartmental committees or simply the provision of immediate access to an informal expert opinion where it is possible. Enquiries and complaints regarding the administration of justice are also reviewed by this Branch.

Civil Litigation and Legal Advisory Services Branch

Morris M. Manning,
Senior Crown Counsel

Composition

The Branch provides an independent legal service for all Ministries of the Government — by the Senior Crown Counsel and a staff of 17 lawyers and para-legal personnel, including the director of accident claims and a number of law clerks and law students.

Servicing Other Ministries

Work done for the Ministries continues to increase and become more varied in form. Both the bar and the bench recognize the change in the nature and quality of the legal services performed by this branch by reason of the courtroom experience of its legal officers.

Branch work involved appearances on behalf of the government in civil litigation in Small Claims Court, in the County, Supreme and Federal Court Trial Divisions, and in appeals and applications before the Divisional Court, Court of Appeal for Ontario, Federal Court of Appeal and Supreme Court of Canada.

Case subjects ranged from simple motor vehicle accident damage actions to complex questions of constitutional law involving the legislative competence of the Provincial Legislature and the Parliament of Canada. As a result of the continual increase in expertise of counsel within the office less legal work than ever before has been referred to outside counsel. A further decrease in the number of cases referred outside is expected.

Constitutional Cases

The number of constitutional law cases undertaken by this Branch has again increased, involving both cases where the Ontario government was a party to the proceedings and those in which Ontario intervened where other Provincial governments were parties. Notable among these was Ontario's intervention in the Supreme Court of Canada's consideration of the *Validity of the Anti-Inflation Act*. Others included: *Tomko and the Nova Scotia Labour Relations Board*; *Continental Grain Company vs Montana Mustard Incorporated*; *McNeil vs the Nova Scotia Board of Censors*; *Canadian Industrial Gas and Oil Limited vs the Government of Saskatchewan and the Attorney General of Saskatchewan and the Attorney General of Canada*; and *Vadeboncoeur vs Landry*. These cases involved the validity of both Provincial and Federal legislation.

In some of the cases judgment has been reserved and in other cases intervention has been filed with the Court but the cases as of this writing have not yet been heard. As well as constitutional cases arising in the Supreme Court of Canada, the Branch has also handled constitutional law cases which have risen at all levels of Court within the Province of Ontario

Judicial Review

Under *The Judicial Review Procedure Act*, the Attorney General is entitled to be heard in person or by counsel in all matters of judicial review.

By statute all applications for judicial review must be served upon this Branch at which time they are examined to determine whether an intervention will be made on behalf of the Attorney General. Interventions usually occur when the interpretation of a Provincial statute is in issue and such interpretation will affect more than one case or have an effect upon future provincial action. Further, in many applications for judicial review the Ministry responsible for a tribunal, the tribunal itself or a provincial official may be a party to such application for judicial review, and in those cases as well as the cases in which the Attorney General intervenes the Branch appears and argues the matters in the Divisional Court. Proposed new Provincial Legislation usually foreshadows a great number of applications for judicial review which in turn increase the case load of the Branch.

Claims For and Against the Crown

The office of the Senior Crown Counsel continues to deal with a large number of claims for and against the Crown. Pursuant to *The Proceedings Against the Crown Act*, a Notice of Claim must be served upon counsel in the Branch before an action is brought against the Crown. This enables counsel to investigate the claim before an action is begun, to determine first what the position of the Crown will be and, second, whether a settlement is possible. These claims include a great number arising from motor vehicle accidents and relating to injuries or damages caused by vehicles of the Crown driven by members of the Ontario Provincial Police, the Ministry of Transportation and Communications and all other Ministries of Government. On the other hand, Crown employees are often injured through the actions of others and claims are made on their behalf.

The Branch handles the full range of claims available in law except those in the area of labour law and complex technical subjects requiring expertise, such as patents or trade marks.

Boards and Tribunals

The Branch provides counsel service to various boards and tribunals. The Game and Fish Hearing Board, for example, received advice at its outset as to how its day to day operations should be carried out. The Ontario Human Rights Commission once again sought the Branch's assistance and counsel have appeared on behalf of the Commission on Boards of Inquiry ordered by the Minister to investigate particular complaints alleging breaches of *The Ontario Human Rights Code*.

Her Majesty's Proctor

Pursuant to *The Matrimonial Causes Act* the position of Her Majesty's Proctor was created to provide an independent officer to assist the Court in Divorce actions and other related matrimonial causes. Counsel within the Branch appear on a regular basis in respect to applications made by a spouse in a divorce action to prevent the issuance of a decree absolute. The increasing number of divorces has caused a parallel increase in the number of such applications.

Advisory Services — Providing Legal Opinions

The Branch provides opinions to all Ministries covering a wide variety of subjects, ranging from

constitutional law opinions to the interpretation of provincial statutes in order to answer a specific enquiry from a Ministry. These opinions may also be prepared with a view to establishing a position for a Ministry in anticipation of litigation or as a result of litigation.

Legislative Advice

The Branch is frequently involved in the preparation of legislation where a change may be necessitated by a judgment of Court. This requires a constant liaison with the Ministries affected in order to ensure that the legislative changes conform to judicial pronouncements as well as to the needs of a Ministry. In addition, in relation to the statutes administered by the Ministry, the responsible legal officer is expected to recommend necessary changes and to work with the Policy Development Division and with the Legislative Counsel's Office, to see that those changes are carried out. In the past year for example, counsel in this Branch along with counsel from the Policy Development Branch were responsible for the development of the security of tenure provision of *The Landlord and Tenant Act*.

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Programs and Administration Division

B.W. McLoughlin, C.A.
General Manager

Function

This section of the Ministry is responsible for directing and co-ordinating the Ministry's general support services including personnel, financial management, auditing and administrative procedures. In 1975-76, continuing emphasis was placed on increasing the use of computers and making more efficient use of available resources in compliance with the Ontario Government's constraint measures.

Systems Development Branch

R.N. Rintoul,
Director

Land Compensation Board

A study was made of the scheduling of hearings of the Land Compensation Board. Recommendations were made which would have the effect of increasing the number of hearings held, with an appropriate change to the staffing structure of the Board. These recommendations were implemented.

Computer Operations, Financial Management Branch

Systems studies were carried out to improve the efficiency of the computer programs being run in this operation, and changes were introduced.

Financial Reporting System

The accounting needs of the Ministry were studied in detail to provide a series of management reports covering each division, branch and function.

The main objective of this financial reporting system was to assist managers in meeting budget, and to monitor expenditures and committing funds so that the chance of over-run was reduced.

This study was carried out by a combined team from the firms of P.S. Ross & Co., Touche Ross & Co., and the Systems Development Branch.

Accountant, Supreme Court of Ontario

A review was carried out of the accounting machine operation in this office and recommendations were made as to replacement equipment.

Program Analysis Branch

J. Solymos,
Co-ordinator

Multi-Year Plan

In 1975-76, as in prior years, one of the main services provided by this Branch was the preparation of the Ministry's multi-year plan; namely, setting out what changes in the year's approved budget and staff complement would be needed over the subsequent three years in order to handle the future growth patterns expected in the operating levels of the Ministry's various programs and activities.

This document, and the funding level decisions which resulted from its review, were the basis for the preparation and assessment of the Ministry's 1976-77 estimates submission.

Reporting Review

Also in 1975-76, the Branch began a lengthy process of reviewing, and where appropriate, refining the Ministry's present information flows and management reporting systems.

The aim in this process is to monitor the adequacy of the approved budget by ensuring that program managers have regularly and frequently through the year, submitted a timely and realistic summary in quantified terms, of how their actual operating level and resource utilization compared with their original expectations, which were reflected in their approved budgets for the year.

Management reporting systems were set up in 1975-76 for programs accounting for about 30% of the Ministry's expenditures — i.e. Contribution to the Legal Aid Plan, Crown Attorneys System, Observation and Detention Homes, Official Guardian. Review and improvement of these and future systems will be continued.

Accountant, Supreme Court of Ontario

E.J. McGann,
Accountant

Assets

Assets under management at the end of fiscal year 1975 totalled \$122 million. The interest rate of 9% per annum on funds belonging to infants was maintained during the year. A rate of 6% continues to be paid on other funds being held until court cases are settled. Both rates are compounded semi-annually. Interest had been paid on a minimum monthly quarterly basis. As at April 1, 1976, interest is paid on a minimum monthly basis.

Investments

The investment portfolio continued to be traded actively. The total value of transactions for the year was \$225 million, a 45% increase over the preceding year. The interest revenue on the portfolio increased from \$6.7 million last year to \$8.5 million for the fiscal year 1975.

The monies paid into court in Suits and Matters in the 1975-76 fiscal year totalled \$46 million, while disbursements during the same period amounted to \$35 million.

Financial Control and Reporting System of the Ministry, and in a number of processing systems.

The efforts of the Branch have been, and will continue to be, especially directed to seeking out and implementing changes in support services which will achieve efficiencies and economies in the administrative operations of the Ministry.

Finance & Services Branch

H.A. Gibbs,
Director

The Finance & Services Branch is responsible for providing the following services to the Ministry:

1. Estimates preparation and financial reporting and record keeping regarding expenditures, revenues, budgets, costs and complement.
2. Financial and administrative support services such as payments to suppliers, payrolls, purchasing, records management, mailing, duplicating, etc.

The installation of a mini-computer in the Branch enabled improvements to be implemented in the

Personnel Management Branch

O.M. Mitchell,
Director

Re-organization

A significant change in the Branch was the combining of the former Recruitment and Position Administration Sections along with Staff Relations to provide a more comprehensive program. The province was divided into geographical regions allowing Personnel Administrators to develop a continuity of service and contact with Managers throughout the Ministry.

The operation of the Branch was affected by a number of innovations including the following.

Constraints

During the year the Provincial Government introduced a program of restraints including a freeze on external recruiting. The necessary restrictions and requirements of the program created a sharp increase in workload of this Branch.

Broadbanding

The first broadbanding project in the Ministry — Crown Law Officers — was implemented.

Agreement was reached with the Civil Service Commission to create a Law Administration Group in the Administrative Module which will include a large number of Ministry positions.

I.P.P.E.B.

The Branch participated in the continuing preparation for Integrated Payroll Personnel Employee Benefits.

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Management Audit Branch

S.E. Neundorf,
Director

Audit

The Branch's responsibility for the audits of Court and Judicial Offices was met during the fiscal year. A total of four Small Claims Courts were either closed or amalgamated with other Courts.

Defaulted Fines / License Suspension System

During the fiscal year ending March 31, 1976, the activity of the System continued at the high rate previously reached. There was a noticeable up-swing in the rate of reinstatements, which rose from an accumulated rate of 46% at December 31, 1974 to 65% at March 31, 1976. During the last quarter (January — March) the reinstatement rate was 77%. The accumulated value of reinstatements was \$2,593,837.00.

Recruitment of additional contract staff, and expansion of telephone facilities, have been completed. The Control Centre has been relocated in larger quarters; this has resulted in much improved working conditions, and in better service to the public through improved public access.

Through the Ontario Police Commission, the Centre works closely with the Police Community. The programming of suspensions into the Canadian Police Information Centre computer is considered to be a contributing factor in the improving reinstatement rate.



Common Legal Services

John D. Hilton, Q.C.
Assistant Deputy Attorney General

All Government Lawyers employed by Ministry

Common Legal Services is established as an ongoing program to provide legal services for all Ontario government ministries and to develop a unified approach to such things as pay and grading for legal services provided to independent boards and commissions. Lawyers in the eighteen legal branches of the various ministries are employed by Common Legal Services on behalf of the Attorney General. This procedure encourages independence of legal opinion within the various government departments and facilitates consultation on points of law. Common Legal Services is also responsible for the retention of outside counsel where the services of such are required by the government.

Professional Development

Professional development of its lawyers is a continuing objective of Common Legal Services. Education programs offered by the Canadian Bar Association, the Law Society of Upper Canada and the Advocates Society are regularly used for updating and enlarging the legal knowledge of member lawyers. Movement of lawyers between legal branches is on the rise as is promotion of employees within Common Legal Services, thereby creating more career opportunities for government lawyers.

Association of Civil Lawyers

As a result of an educational conference held in September, the Association of Civil Lawyers working within the government has been formed to consider and deal with the common problems faced by the civil lawyers in the government. It is hoped that this will result in an increased sense of common identity, thus increasing the pride, productivity and quality of the government's lawyers.

Liaison with Boards

In addition to the foregoing, this office has a liaison responsibility between the Ministry and the Municipal Board, the Land Compensation Board,

the Board of Negotiation and the Criminal Injuries Compensation Board.

Chief Inquiry Officer

A substantial amount of time in this office is also used in the discharge of the responsibilities of the chief inquiry officer, pursuant to The Expropriations Act, involving the retainer of and the liaison with inquiry officers throughout the province and a large area of communications with the public in relation to The Expropriations Act generally.

The offices of the Official Guardian and the Public Trustee also report to the Assistant Deputy Attorney General, Common Legal Services. Including these two operations, Common Legal Services has nearly Four hundred employees in professional, secretarial and clerical positions.

Office of the Official Guardian

E.M. Henry, Q.C.,
Official Guardian

Function

The Official Guardian provides legal services for minors; unborn and unascertained persons; mental incompetents and absentees. He is also required by Statute to provide the Court with Reports in divorce and custody proceedings with regard to the care, maintenance, custody and access of the children in the disputes.

General

The work of the office has expanded from a total of 13,643 new cases in 1972 to 16,651 in the calendar year 1975 — an increase of some 22% in five years.

The office has a staff of 61. It also utilizes the services of a number of lawyers who act as its agents throughout the province. It employs Children Aid Societies outside Toronto and freelance social workers in Toronto to assist in investigation and preparation of reports in divorce and custody actions.

The Official Guardian is aware of the consideration of no fault divorces and is participating in a Family Court Conciliation Project recently initiated to pre-

The Ministry of the Attorney General

serve the sanctity of family life from improvident dissolution of marriages to the detriment of families in general and children in particular.

The Official Guardian is a member of a committee, chaired by W.B. Williston, Q.C., which is making a complete revision of the Rules of Practice of the Supreme Court of Ontario.

Increasing Demand

The Official Guardian must keep abreast of trends and developments in family and child law and attempt to meet new responsibilities within his jurisdiction.

The Law Reform Commissions of Canada and Ontario have strongly recommended that the law give more adequate consideration to the rights of minors in matters directly affecting them, other than the protection of their proprietary interest which is the traditional concern of the Courts. Hence, judges are appointing the Official Guardian as guardian ad litem (counsel) to represent children in custody and access proceedings. The Official Guardian is being appointed because of his traditional role in protecting the interest of minors in legal proceedings and his obvious independence from influence by adult parties.

Another matter of major concern is that of the adoption of children of unwed mothers whose consent to the adoption is required and which is often obtained before a guardian ad litem is appointed and the minor mother has had the benefit of independent legal advice. The Official Guardian has agreed, pending a clarification of this problem by statutory amendment, to provide such legal advice to unwed mothers prior to their execution of consents. This is an important and far-reaching development and will tend to curb improper placement of children by often well-intended lawyers and doctors who might inadvertently or otherwise take advantage of unwed mothers to the serious detriment of the infants concerned and without due consideration of the mothers' rights and interests.

Report of Operations

The statistical data for the fiscal year 1975-76 and for the calendar years 1972 to 1975 inclusive is as follows:

Surrogate Court Audits

1972	629	decrease of	105
1973	653	<i>increase of</i>	24
1974	629	decrease of	24
1975	608	decrease of	21
Fiscal year	1975-76	624	

Matrimonial Causes New Matters

1972	9,612	<i>increase of</i>	1,366
1973	10,342	<i>increase of</i>	730
1974	11,998	<i>increase of</i>	1,656
1975	12,738	<i>increase of</i>	740
Fiscal year	1975-76	13,059	

Number of Payments into Court

1972	244	decrease of	121
1973	218	decrease of	26
1974	190	decrease of	28
1975	189	decrease of	1
Fiscal year	1975-76	189	

New Fiats Authorizing Payments Out of Court for Maintenance and Other Purposes

1972	502	decrease of	297
1973	370	decrease of	132
1974	271	decrease of	99
1975	384	<i>increase of</i>	83
Fiscal year	1975-76	413	

Number of Payments Out of Court pursuant to Existing Fiats

1972	1,527	decrease of	110
1973	1,783	decrease of	256
1974	1,572	decrease of	211
1975	1,607	<i>increase of</i>	35
Fiscal year	1975-76	1,674	

General Counsel Work in matters arising out of:

The Child Welfare Act; The Defendants' Relief Act; The Devolution of Estates Act; The Dower Act; The Fatal Accidents Act; The Highway Traffic Act; The Infants Act; The Insurance Act; The Mortgages Act; The Partition Act; The Settled Estates Act; The Surrogate Court Act; The Trustee Act; The Variation of Trusts Act and The Wills Act.

1972	1,129	decrease of	122
1973	1,029	decrease of	100
1974	1,141	<i>increase of</i>	112
1975	1,125	decrease of	16
Fiscal year	1975-76	1,148	

New Miscellaneous Matters

Numerous attendances, telephone inquiries and extensive correspondence, both with solicitors and the general public, pertaining to the solving of problems relating to the personal and financial welfare of infants.

Summary of the Total Number of New Matters and Cases

1972	13,643
1973	14,395
1974	15,801
1975	16,651

Fiscal year 1975-76 17,107

Forecast of Operational Activities

The Office of the Official Guardian does not nor does it attempt to develop new programmes and activities. The office for practical purposes simply renders legal services on behalf of persons under a disability consisting mainly of minors under the age of eighteen years.

The forecast of the programmes and activities for the fiscal year 1976-77 and for each of the three succeeding years are as follows:

Surrogate Court Audits	1976-77	650
	1977-78	650
	1978-79	650
	1979-80	650

Matrimonial Causes New Matters

1976-77	14,500
1977-78	15,500
1978-79	16,500
1979-80	17,500

Number of Payments into Court

1976-77	225
1977-78	225
1978-79	225
1979-80	225

New Fiats Authorizing Payments Out of Court for Maintenance and Other Purposes

1976-77	425
1977-78	450
1978-79	500
1979-80	550

Number of Payments Out of Court pursuant to Existing Fiats

1976-77	1,800
1977-78	1,900
1978-79	2,000
1979-80	2,100

General Counsel Work	1976-77	1,250
	1977-78	1,300
	1978-79	1,350
	1979-80	1,400

The Public Trustee

F.J. Maher, Q.C., Public Trustee

Dollar Responsibility

Funds for which the Public Trustee has responsibility grew to \$144 million in the 1975-76 fiscal year, an increase of 13% over the previous period. These are accounted for by the Trustee's main areas of concern:

The administration of the estates of mentally incompetent persons in provincial psychiatric facilities, nursing and special-care homes;

The administration of the estates of persons who die leaving no next-of-kin or lawful heirs.

General Operations

While there has been no substantial change in operations, there has been an increased volume for relief from forfeiture by corporations and our dealings with Patients' Estates, Crown Estates, Special Trusts including such things as Powers of Attorney, Mental Incompetency matters, Company Trusts and Cemetery Trusts have all enlarged.

The I.O.S. Investment Fund liquidation continues to occupy this office. The application of the Public Trustee for release of I.O.S. Investment Fund shares currently held by the Bank of New York as custodian is still before the courts.

It is hoped the matter will be completed this year. On the other hand, it appears that the winding up of Transglobal Financial Services Limited will still take some time. The matter is complicated by the

The Ministry of the Attorney General

fact that not only this office but also various companies have claims against Transglobal in foreign countries.

Staff Operations

Again there has been no increase in the Public Trustee's staff of 155. A feasibility study begun last year with a view to reorganizing the office's operations for greater efficiency is still underway.

Earnings and Expenses

as at March 31st, 1976

Fees: Patients' Estates	855,113.
Crown Estates	394,222.
Special Trusts	80,574.
Company Trusts	90,434.
Cemetery Trusts	14,307.
Charities	33,648.
Total Fees	\$ 1,468,298.
Bank Interest	10,350.
Net Earnings from Investment Fund Account	<u>1,660,759.</u>
Total Revenue	\$ 3,139,407.
Debit Balance Written Off	71.
Gross Earnings	\$ 3,139,336.
Operating Expenses	<u>2,352,663.</u>
Total Net Earnings for Year 1975-76	\$ 786,673.

Investment Fund Account

as at March 31st, 1976

Bonds at Amortized Cost	76,928,364.
Accrued Interest Received	1,548,196.
Cash in Bank	103,440.
Total	\$ 78,580,000.
Interest Earned on Investments	5,463,395.
Interest Earned on Bank Accounts	44,109.
Total	\$ 5,507,504.
Less: Interest Allowed	2,969,860.
Book Loss on Exchange of Securities	<u>876,885.</u>
Net Earnings in Investment Fund	\$ 1,660,759.

Securities Held for Investment Fund Account

as at March 31st, 1976

	Par Value	Book Value	Market Value
Ontario Hydro	51,342,000.	51,010,955.	45,616,220.
Province of Ontario	25,160,000.	24,917,409.	20,849,475.
Toronto Dominion Term Deposit	1,000,000.	1,000,000.	1,000,000.
Total	\$ 77,502,000.	\$ 76,928,364.	\$ 67,465,695.

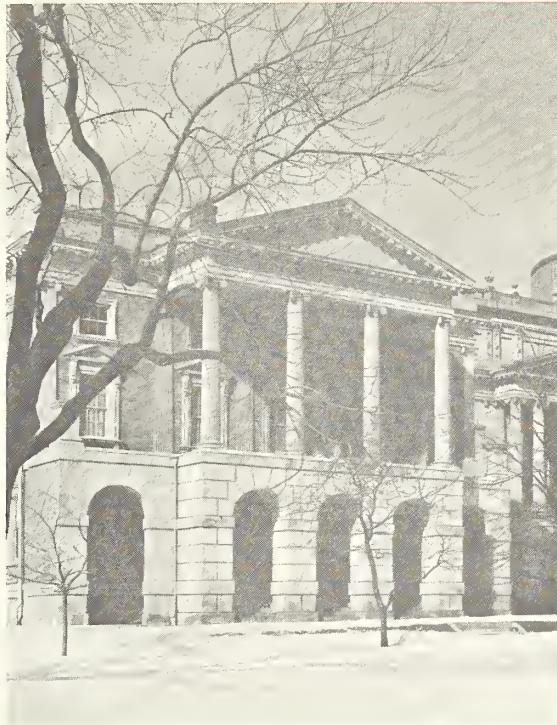
Assets under Administration

as at March 31st, 1976

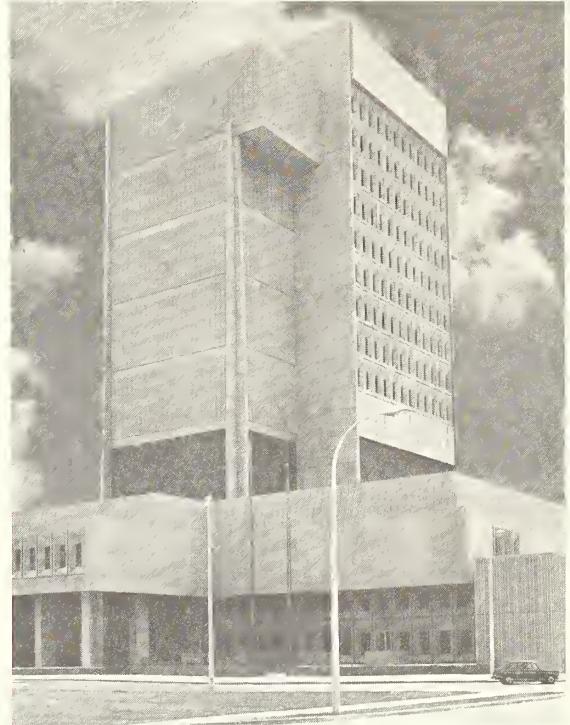
	\$ 144,036,993.
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Court Houses – new & old.

Osgoode Hall, Toronto



Court House, London



Court House, Hamilton



Court House, St. Catharines



Boards and Commissions

Ontario Law Reform Commission

Chairman: H. Allan Leal, Q.C., LL.M., LL.D.

Vice Chairman: Honourable James C. McRuer, Q.C., LL.D., D.C.L.

Members: Honourable Richard A. Bell, P.C., Q.C.
W. Gibson Gray, Q.C.
William R. Poole, Q.C.

Function

The Ontario Law Reform Commission was established in 1964 as an independent Commission to examine and consider any matters relating to

1. reform of the law having regard to statute law, the common law and judicial decisions;
2. the administration of justice;
3. judicial and quasi-judicial procedures under any Act; and
4. any subject referred to it by the Attorney General.

The Commission has made over fifty reports in the last twelve years, covering a broad range of topics. Many have formed the basis for both new legislation and amendments to existing statutes, including The Condominium Act, The Expropriations Act, The Age of Majority and Accountability Act, The Coroners Act, landlord and tenant legislation and family law legislation.

Reports during 1975 - 76

During this period, the Commission has worked on a varied range of topics, and has submitted reports on support obligations, mortmain, charitable uses and religious institutions, landlord and tenant law, and reform of the law of evidence.

The Commission's Report on Family Law, Part VI, Support Obligations contains recommendations to re-establish support law on the basis of need, not fault, and to remove discrimination between husbands and wives; it brings to a close nine years work on a comprehensive programme of family law reform. The Commission also completed its work on the Minister's reference concerning The Mortmain and Charitable Uses Act and The Religious Institutions Act, recommending a partial repeal of the first Act, and new legislation to replace the latter. The Report on Landlord and Tenant Law, the Commission's third and final report on this im-

portant topic, completes a major effort to modernize the law governing residential, commercial, industrial and agricultural tenancies. Finally, the Commission concluded its study on the Law of Evidence by recommending a new draft Evidence Act for Ontario.

Concurrently, the Commission has carried on work on a number of other projects including the Minister's reference on The Sale of Goods Act, and the Commission's initiated projects on the law of trusts, the enforcement of judgment debts, the law of real property, and The Change of Name Act.

The Commission continues to benefit from the exchange of ideas and experiences derived from the close liaison which law reform agencies throughout the world maintain. It has worked closely with the Uniform Law Conference of Canada, and the recently established Law Reform Committee of the Canadian Bar Association, Ontario Branch.

The general public continues to follow the Commission's work with lively interest.

Full Report Available

A full report for the fiscal year 1975-76 is available from the Law Reform Commission or the Government of Ontario Bookstore.

Ontario Municipal Board

Chairman: W.H. Palmer

Vice-Chairman (Administration): R.M. McGuire

Vice Chairman: A.H. Arrell, Q.C.
D. Jamieson (retired Aug. 5, 1975)
W. Shub, Q.C.
F.G. Blake
A.L. McCrae

Members: W.T. Shrives
W.H.J. Thompson, Q.C.
B.E. Smith
D.S. Colbourne
S.S. Speigel
H.H. Lancaster
P.M. Brooks
A.B. Ball
H.E. Stewart
C.G. Ebers, Q.C.
H.W. Kelly, Q.C.
J.A. Wheler

E.A. Seaborn
A.J.L. Chapman, Q.C.
L.P.D. Staples
M. Corbett
W.E. Dyer, Q.C.
C.G. Charron, Q.C.
J. Wadds

Establishment

Under the authority of The Ontario Municipal Board Act.

Primary Jurisdiction

The Ontario Municipal Board Act, The Municipal Act, The Planning Act, The Assessment Act and diverse Ontario Statutes including Special Legislation.

Functions

To effect the growth and economic stability of municipalities in various fields.

1. Municipal Structure

Constitution, alteration of boundaries and dissolution of municipalities.

2. Capital Expenditure

Financial supervisory role and approval of capital undertakings, and the manner of recovery therefor.

3. Planning Administration

Approval of restricted area by-laws, official plans and plans of subdivision, and appeals from Land Division Committees and Committees of Adjustment.

4. Assessment Appeals

5. Miscellaneous Applications

Appeals

1. Divisional Court on matters of law and jurisdiction.

2. Petition to Lieutenant Governor in Council.

3. Application to Board for rehearing.

1975 Calendar Year

Total number of applications 7,945

Total number of hearings 2,941

Board's Annual Report available for greater detail.

Assessment Review Court

Chairman: E.K. Pukacz

Vice-Chairman: R.D. Baxter

Vice Chairman (part-time): S.R.R. McNeil

Jurisdiction

The Assessment Review Court was established under The Assessment Act, 1968-69 and continues under The Assessment Review Court Act, 1972. This Court is an administrative tribunal which draws its jurisdiction from The Assessment Act and The Municipal Act and may exercise it in matters relating to:

1. hearing and determining complaints with respect to the assessment of real property in Ontario for the purpose of municipal taxation
2. hearing and determining appeals from decisions of Municipal Clerks regarding the allocation of school support for municipal taxation
3. upon application determining the apportionment of municipal taxes or rates applicable to individual parcels where land has been assessed in block
4. where authorized by municipal by-law or by way of appeal upon application, grant cancellations, reductions or refunds of municipal taxes paid in the year in respect of which the applications or appeals are made. When authorized by Municipal Council considering a Municipal Treasurer's recommendation for an increase in municipal taxes where gross or manifest errors have been made in the preparation of the tax roll. Where such applications or recommendations are dealt with by Municipal Council, considering appeals against the decisions of the Municipal Council.

Administrative Functions

In addition to their duties and responsibilities regarding the processing and scheduling for hearing of assessment complaints, the Regional Registrars of the Court certify the last revised assessment roll of each municipality and also process and schedule all assessment appeals to County or District Court Judges within the Province under Section 55 of The Assessment Act.

Boards and Commissions

Summary of Activities

The following is a brief report of the main activities of the Court during the period April 1, 1975 to March 31, 1976.

1. Court Sittings

During the period the Court held 1,692 sittings in various municipalities and localities throughout the province and resolved 93,058 complaints, appeals and applications.

The municipalities of East Parry Sound and West Carlton were proclaimed by the Lieutenant Governor in Council at market value for assessment purposes. Special concentrated court hearings were arranged in those municipalities to hear and resolve complaints and appeals arising from the re-assessments.

Subsequent to The Assessment Amendment Act, 1975 (Bill 8) the condominium and co-operative housing units were assessed on the same proportion of the market value as the owner-occupied single family residences in the vicinity were assessed.

This amendment has influenced a substantial reduction in the complaints relating to condominiums and co-operative housing units to the Assessment Review Court and also allowed the Regional Registrars to process in excess of 22,000 appeals to County and District Court Judges which were still outstanding from previous years.

During the 1975-76 fiscal year the Assessment Review Court has experienced a marked increase in the assessment complaints relating to income-producing properties such as apartment houses; office buildings, commercial strips and commercial plazas.

2. Training and Development of Court Members and Staff

During the 1975-76 period groups of Court Members attended instructional two-day seminars at Orillia, Niagara Falls, Ottawa and Toronto. In addition, special regional one-day seminars for members were held at Kitchener, Kingston, Sudbury and Toronto.

Regional Registrars and Assistant Regional Registrars of the Court attended five instructional one-day seminars in Toronto and Nottawasaga.

Clerks of the Court also attended instructional one-day seminars on a regional basis in Kitchener,

Thunder Bay, Sault Ste. Marie and Toronto.

3. Administrative Improvements

During the period the Court has introduced uniform procedures to be applied at court hearings and also revised the necessary statutory forms, such as Notices of Hearing, Court Records and Notices of Decision relating to all aspects of operations under the court's jurisdiction.

In 1975 the Court instituted for the first time special "assignment hearings" in Metro Toronto, Ottawa, Windsor, London and Sudbury to arrange dates for trial of assessment complaints relating to income-producing properties. This new procedure was necessary in order to expedite the hearing of such complaints which are being filed with the court in an ever increasing number and the complainants are represented by legal counsel and professional agents.

Summary of Assessment Review Court Complaints and Appeals

	1973-74	1974-75	1975-76
Section 52 of The Assessment Act (1)	40,538	70,221	58,212
Section 44 of The Assessment Act (2)	4,841	12,449	16,436
Sections 516, 547, 636a, 636b of The Municipal Act (3)	10,552	13,176	18,410
Total	55,931	95,846	93,058

Note: (1) This section deals with complaints against annual assessment made under Section 40 of the Act.
(2) This section deals with complaints against additional assessment under Sections 42 and 43 of the Act.
(3) These sections deal with applications and appeals relating to:
(a) School support
(b) Apportionment of municipal taxes
(c) Cancellation, reduction, or refund of municipal taxes
(d) Increase in municipal taxes by reason of clerical errors

Summary of Appeals to County and District Court Judges (Section 55 of The Assessment Act)

	1973-74	1974-75	1975-76
Appeals	6,949	14,324	3,723

Criminal Injuries Compensation Board

Chairman: Allan Grossman

Vice Chairman: Shaun MacGrath

Members (part-time): Anne Austin
S. David Cork
Audrey Merrett
Edward W. Tyrrell, Q.C.
R.C. Rutherford, Q.C.
A. Roy Willmott, Q.C.
(retired Feb. 15, 1976)

The Criminal Injuries Compensation Board, composed of both full-time and part-time members from various segments of the community, administers The Compensation for Victims of Crime Act, 1971, the successor to The Law Enforcement Compensation Act, 1967.

Function

The Board decides upon the eligibility of applicants for compensation as well as the amount of compensation to be awarded. Compensation is awarded, for personal injury only, when a person in Ontario is injured or killed as a result of a crime of violence which is an offence against the Criminal Code of Canada. Such offences include assault, wounding, murder, rape and various others. Injuries caused by a motor vehicle is excluded from the Act unless the vehicle is used to commit an assault. Compensation may also be awarded where an injury is sustained while lawfully arresting or attempting to arrest a person for an offence against another person; assisting a law enforcement officer in the performance of his duties; or preventing or attempting to prevent an offence against another person.

Public Awareness

Hearings are conducted weekly in Toronto. Additionally, the Board, in the year under review, conducted hearings in Ottawa, Thunder Bay, Windsor, Sault Ste. Marie and Sudbury. These hearings were concurrent with the normal Toronto hearings and it is the intention of the Board to continue to visit these provincial centres as often as the number of applications from those areas warrant.

During the year ended March 31, 1976, the media across the province gave widespread prominence to

the awards. In February and March, 1976, a province-wide advertising campaign was undertaken in a substantial number of weekly newspapers. Foreign language papers in Ontario were included in this programme.

Members of the Board have, during the year, spoken to a number of different police associations and groups of law students, informing them of the Act and how these groups can assist in making the Act better known.

Board's Annual Report

This is available directly from the Board's offices at 505 University Avenue, Toronto, Telephone: 965-4755.

Brochures in various languages are also readily available and these are to be found also in court houses, police stations, legal aid offices and a number of other public buildings throughout Ontario.

Media Support

In acknowledging the support of police forces, Crown Law officers, members of the medical, dental and legal professions, the Board also wishes to acknowledge the support of the media in Toronto and elsewhere regarding coverage given to hearings and awards made under the Act. All hearings are open to both the general public and the press, except on occasions where there are hearings relative to criminal injuries sustained by minors or injuries involving rape or indecent assault charges. The coverage given the Board's compensation payments has been of great assistance in making this particular Act much better known and understood.

As will be seen from the following table of applications received, and their disposition, there has been a tremendous increase in the volume of applications being received each month.

Boards and Commissions

Comparative Summary for Fiscal Years – Applications and Dispositions

	1972-73	1973-74	1974-75	1975-76
Eligible Applications Received	486	510	639	851
Applications Heard (1)	461	510	381	473
Applications Heard and Dismissed	51	22	40	75
Applications Heard –				
Further Evidence Required	13	5	6	1
Second Hearings	3	4	8	4
Review of Awards	4	1	1	1
Decisions Completed and				
Awards Ordered (2)	433	402	349	451
Interim Awards	6	3	0	3
Supplementary Awards	16	27	12	19
Periodic Awards	19	10	16	12
Lump Sum Payments	\$ 556,831.44	\$ 591,944.26	\$ 561,944.26	\$ 708,640.29
Periodic Payments	\$ 74,339.00	\$ 130,963.07	\$ 165,814.00	\$ 194,038.00
Total of Awards Ordered	\$ 631,170.44	\$ 722,637.33	\$ 726,928.03	\$ 902,678.29
Average Award (3)	\$ 1,285.98	\$ 1,472.50	\$ 1,607.77	\$ 1,425.84
Hearings Pending	393	426	599	914

Note: (1) Includes Heard and Dismissed and Heard and Further Evidence Required.

(2) Includes Interim, Supplementary and Periodic Awards.

(3) Periodic Payments not included when arriving at Average Award.

Land Compensation Board

Chairman: J.S. Yoerger, Q.C.

Changing Workload

Applications by way of Notices of Arbitration served by landowners and expropriating authorities for determination by the Land Compensation Board continue to increase. Compensation claims are based on the market value of expropriated land, or for damages related to disturbance of business, the effects of an expropriation on a claimant's remaining land, or personal loss. Some expropriating authorities appear to be adopting the practice of initiating at one time Notices of Arbitration for many expropriations relating to one project.

A small number of applications has been made for compensation by arbitration on consent where

there has been no expropriation under the provisions of section 30 (a) of The Expropriations Act, which received Royal Assent on May 2, 1975.

Hearings – Scheduling and Effectiveness

The efficiency of the arbitration process depends largely on the speed with which the parties complete their pleadings, examinations for discovery, exchange of reports and related preparatory matters. Faced with an increasing workload, the Board has introduced a tighter scheduling of hearings in an effort to keep pace.

The Board complement remains at nine members, of whom the Chairman and two Vice Chairmen must, under The Expropriations Act, be members of the bar of one of the provinces of Canada and are also required to be one of the statutory quorum of three members.

Report of Operations

	1975-76	1975-76	
Notices of Arbitration		Notices of Motion	
Filed with the Board	168	Filed with the Board	23
Hearings completed (total)	33	Completed	21
in Metropolitan Toronto	15	Adjourned	1
Outside Metropolitan Toronto	18	To be heard	1
Total Amount Claimed	\$ 12,091,601		
Total Amount Awarded	\$ 4,487,048		

Comparative Statistics

	1971-72	1972-73	1973-74	1974-75	1975-76	Total
Notices of Arbitration						
Applications Received	218	99	79	132	168	696
Applications Completed						
(a) by Arbitration	28	46	26	33	38	171
(b) by Settlement	33	28	73	45	43	222
Written Decisions of the Board	28	46	26	33	36	169
Decisions Pending					2	
Awards of the Board (see Schedule B)						
Notices of Motion						
Applications Received	13	15	25	22	23	98
Written Rulings of the Board	6	7	12	19	20	64

Board of Negotiation

Chairman: W.C. Dymond

Members: J.M. Bennett

J.A. Ferguson

F.L. Heaman

W.J. Mowat

L.J. Schedlin

Function

The Board of Negotiation was created by the provisions of The Expropriations Act, 1968-69. It provides an informal tribunal which, without prejudice to any subsequent arbitration procedures, may negotiate in a summary and informal manner of settlement of a compensation in expropriation cases.

Informality

The Board, upon receiving a written request from either party, arranges meetings between the expropriated party and the expropriating authority. A formal notice is issued to both parties, advising them of the time and place of the meeting, which can be held throughout the province without cost to either party. A unique provision of the Act provides that the Board shall view the property in question.

An individual may appear on his own behalf to present his compensation claim. If no agreement follows these informal negotiations, the parties are free to proceed to arbitration to the Ontario Land Compensation Board.

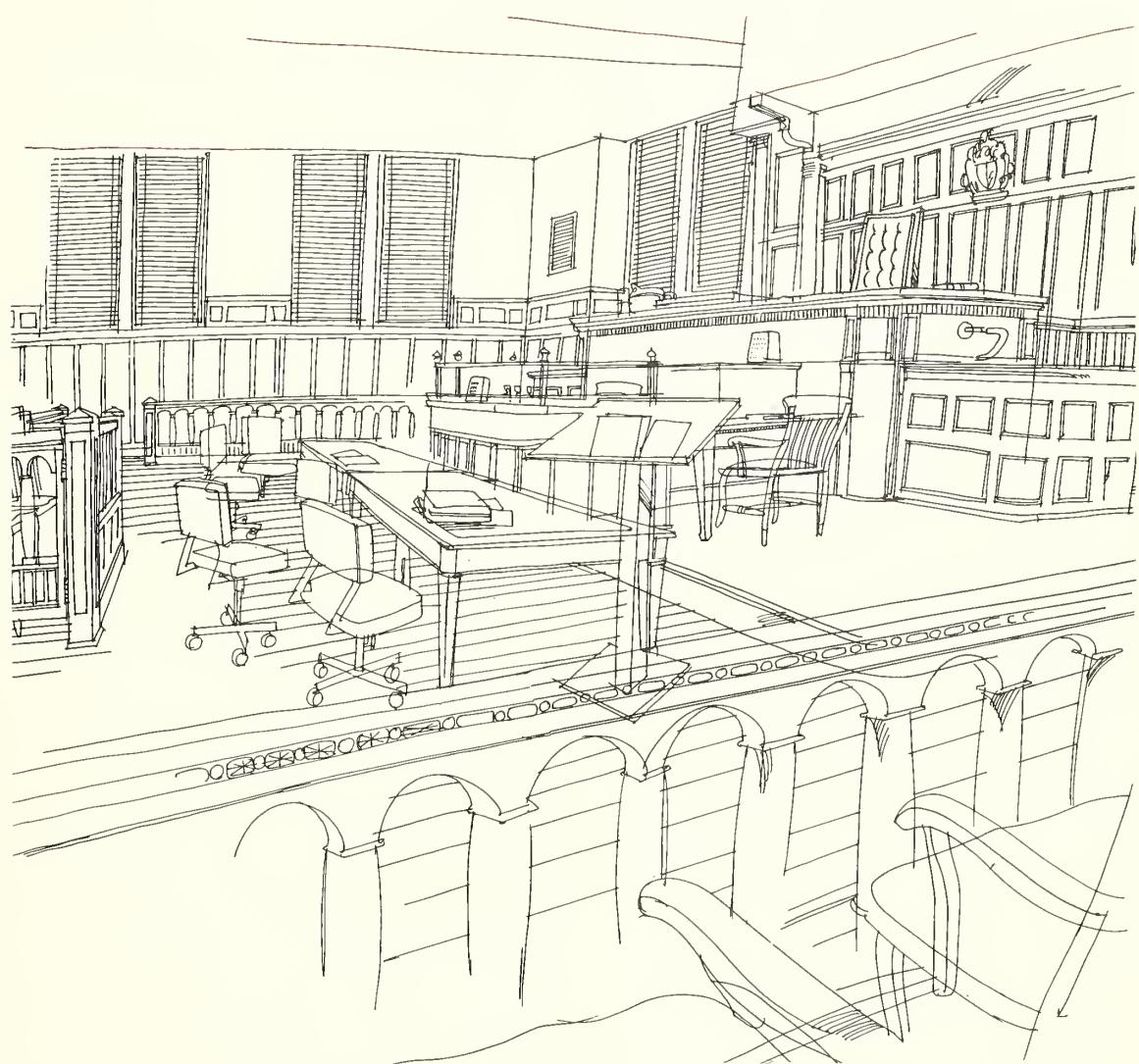
Boards and Commissions

Activity Report

	1974-75	1975-76
Request for Hearings	298	270
Hearings Held	283	196
Outstanding	34	47

Statistical Review

Expropriating Party	Number of Applications 1975-76
Board of Education – Toronto	1
Borough of North York	1
City of Belleville	1
City of Burlington	2
City of Hamilton	11
City of Kingston	1
City of Kitchener	2
City of London	1
City of North Bay	1
City of Sault Ste. Marie	7
City of Sudbury	1
Corporation of the County of Brant	1
Corporation of the County of Middlesex	2
Corporation of the Town of Cobourg	1
Corporation of the Town of Grimsby	3
Corporation of the Township of Nepean	4
Corporation of the Township of North Dumfries	1
Corporation of the Township of Vespra	1
Metropolitan Separate School Board	2
Ministry of Housing	9
Ministry of Transportation and Communications	57
Municipality of Metro Toronto	26
Municipality of Metro Toronto – Subway Property Committee	1
Niagara Parks Commission	1
Ontario Hydro	61
Regional Municipality of Halton	4
Regional Municipality of Hamilton-Wentworth	1
Regional Municipality of Niagara	9
Regional Municipality of Ottawa-Carleton	51
Regional Municipality of Waterloo	1
Sun-Canadian Pipe Line Company Limited	1
Union Gas Company of Canada Limited	4
Total	270



Background Paper

The Challenge of the Minor Offence

A flood of minor, non-criminal offences threatens to engulf the administration of justice if new ways are not found to dispose of them with more speed and efficiency.

Although most people think of the courts in terms of dramatic criminal trials, the summary conviction offence bulks larger in court workload and poses more challenges to the administration of justice. In terms of workload and administrative burden, traffic and parking offences are infinitely more important to the administration of justice than serious criminal cases. While public attention focusses on the murder trial, very few members of the public have any direct personal contact with a criminal trial of any sort. But many members of the public do have contact with the courts and the administration of justice through a traffic ticket or parking tag.

The big problem is volume. While the courts may in one year receive about a quarter of a million criminal charges, they receive over three and a half million other types of cases including provincial traffic and liquor charges and municipal by-laws. Although criminal cases receive the lion's share of attention and comment, they comprise about one twelfth of total case volume. Because the basic structure of a trial for a parking tag is the same as the structure of a trial for capital murder, and because the minor cases often attract as much paperwork as serious ones, the minor offences are clogging the courts to the detriment of more serious business.

The Ministry has, over the last few years, gradually evolved a new approach to minor offences. That approach has included the development of the Uniform Traffic Ticket and then the Summary Conviction Ticket, the North York Traffic Tribunal, and the Default Fine Control Centre. The evolution of the new approach is not yet complete. We hope that the next few years will see an increase in tempo and an acceleration of the search for new ways to deal with minor offences.

Provincial summary conviction offences, no matter how minor, have traditionally been processed exactly the same way as criminal offences. Criminal offences, which can only be created by the federal government, are divided into two categories.

The more serious crimes are indictable offences and less serious crimes are summary conviction offences. Although summary conviction procedures are slightly less formal and more flexible, they are nonetheless criminal in nature. Provincial offences, while not criminal in nature, are processed in basically the same manner as criminal summary conviction offences. Thus a trial for an alleged parking offence resembles in structure a murder trial.

Although Ontario, like the other provinces, adopts criminal summary conviction procedure as the basis for dealing with provincial offences, Ontario has taken a number of initiatives to soften the criminal type of procedure used for provincial offences. For instance a person charged with a provincial offence may be served with a summons by mail, instead of having a policeman appear at the home of the accused to serve him personally. If the mailed summons is not honoured, however, it is necessary for a policeman to search out and personally serve the accused, or to go to his home and leave the summons personally with someone else there.

There are other ways in which Ontario offences are dealt with differently at the "front end" of the system. One innovation was the Uniform Traffic Ticket, which enabled a motorist to be served on the spot with a summons setting out the exact charge, rather than waiting weeks for a mailed summons or personal service by a police officer. This innovation proved successful and was extended in 1972, by means of the Summary Conviction Ticket, to the full range of provincial offences. As well as saving police and clerical manpower by cutting through the normal mass of paper generated by any minor charge, the procedure enables the accused to plead guilty out of court by signing a guilty plea and sending in to the court a pre-determined penalty which is shown on the summons.

Another major step was taken in 1972 when *The Highway Traffic Act* was amended to provide for the suspension of a driver's licence, instead of the imposition of a jail term, for the driver who failed to pay a traffic fine. Formerly an unpaid traffic fine resulted, in most cases, in a warrant of committal to jail for nonpayment of the fine. The 1972 amendment permitted the court, instead of issuing a warrant of committal, to order the suspension of the driver's licence of the driver who

has not paid his fine within the time allowed by the court.

Although this change sounds simple, it represents a profound change in approach. It is the first step away from the traditional approach of the criminal law, which backs up its sanction of a fine with a threat of imprisonment. This heavy handed approach was adopted for all offences under the criminal law, no matter how minor or serious, and regardless of the nature of the offence. And this sanction found its way into Ontario's treatment of provincial offences, again regardless of the nature or gravity of the offence.

A jail term in default of payment of a fine is of course open to the criticism that it is a penalty which applies only to the poor, who cannot afford to pay the fine. Perhaps more seriously, the automatic application of this sanction is completely at odds with the principle that the punishment should fit the crime. The Ministry is now undertaking a complete review of the philosophy behind provincial offences in order to provide more realistic procedures and more appropriate sanctions, tailored to fit the many kinds and degrees of prohibited conduct under Ontario statutes. The imposition of a driver's licence suspension for failure to pay a traffic fine is a first step in that direction. The law no longer says "If you do not pay the penalty for abusing the driving privileges, you will go to jail". The law now says, instead, "If you do not pay the penalty for abusing your driving privileges, you will lose those very privileges until you honour your legal obligation".

Although the logic is simple, the administration of that logic can be somewhat complex. The administration of the default fine suspension system involves a delicate balance of functions between the courts, the police and the driver's licence system. The Ministry of the Attorney General, through its default fine control system, collects information on suspension orders and outstanding fines from the courts. This information is passed on to the Ministry of Transportation and Communications, where the suspension is made by the Registrar of Motor Vehicles and an attempt is made to inform the person suspended. The notice of suspension is then passed on to the Suspended Driver Control Unit in the Ontario Provincial Police where it is fed into a police computer information

system. When the suspended driver pays his fine, the same route is followed for his reinstatement.

In the result, one job — the replacement of jail by licence suspension — occupies separate units in three Ministries, and each separate unit deals with essentially the same information. There is some inevitable duplication of work and records, because three separate systems are involved in processing the suspensions and reinstatements. This causes delays and time lags and some real inconvenience to the public. Each Ministry is struggling to maintain its part of the system in the face of rising workload and frozen financial and staff resources.

Despite major administrative problems the default fine suspension system does work, and does prove that its concept is sound. Since its introduction it has processed approximately 200,000 suspensions. Although the reinstatement rate varies, it appears that over three quarters of the suspensions do result in the payment of outstanding fines. Millions of dollars in outstanding fines have been collected. One significance of this success is that outstanding obligations can be enforced by measures other than the threat of jail. If an accused goes to jail rather than pay his fine, the tax-payer pays to support him at public expense for his stay in jail and as well as losing his liberty he actually costs the public purse a good deal. Once the option of jail is removed, the obligation must be faced or the privilege of driving revoked.

Although the system works, it does have problems. In fact the backlog of outstanding fines has increased very substantially over the last few years. Some duplication, inefficiency, and delay are caused simply because there are three separate organizations in three separate Ministries all doing part of the same single job. Some problems are caused by lack of resources and the inability of each Ministry to dedicate enough people and money to make the system work. There are some administrative growing pains and some difficulties in co-ordination, all of which are now receiving attention which should soon yield solutions to the administrative difficulties.

The work could be done more quickly and efficiently if all of the activity was brought together in a single physical location and a single centre of responsibility. More and better use could be made

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of computer technology. A centralized system of accounting and payments would relieve police forces and members of the public from much of the inconvenience caused by the present system. For instance a driver with outstanding fines at a number of different court locations must satisfy payment at each court location before his privileges can be reinstated. The suspended driver who attends at the default fine control centre to fulfil his obligations and straighten out his suspension must now, because of the decentralized nature of the present system, be sent on a round of mailings and visits to other offices before he can obtain reinstatement. Even then there can be some time lag between payment and reinstatement and notification of reinstatement. The result can be confusing and frustrating not only to the suspended driver but also to the officer who has the responsibility of enforcing the suspension order.

The present system plunges police forces into a welter of bookkeeping and accounting procedures which are not really part of the police function, particularly in cases where a warrant of committal has been executed and payment must be made to a number of different court offices. A centralized payment system would relieve the police of these complex accounting procedures. A centralized system would also help ensure that information on defaulting drivers was accurate, accessible and up to date.

Thought is being given not only to improving the default fine suspension system, but to expanding it. The use of the system is optional. Once the present administrative difficulties are solved, the system could be expanded by making its use mandatory and not optional, thus taking a further step towards the ultimate abolition of jail in default of fine.

Studies of the American experience show that the most effective systems depend on a denial of vehicle registration renewal and denial of driver's licence renewal rather than a simple suspension of existing privileges. Under this denial of registration system, the driver or vehicle owner with unpaid fines for vehicle offences will not get a new driver's licence or vehicle registration until he satisfies his obligations to the court. This system permits a centralization of the payment and enforcement

process and cuts through the cumbersome hit-and-miss system based on a bare denial of existing privileges. It places the onus on the offender to satisfy his obligations rather than have enforcement officials chase the offender around until the fines are paid. It takes the police out of the debt collection business.

A new system based on denial of re-registration of drivers and vehicle licences would do more than simply reduce jail in default of fine. It would essentially take the police out of the debt-collecting process, as recommended by Mr. Justice Morand in the Report of the Royal Commission into Metropolitan Toronto Police Practices. It would reduce the chance of confrontation and shift a good deal more responsibility directly to the driver or car owner who has abused his or her driving privileges. It would also dovetail the penalty with the crime and take most of the enforcement process out of the criminal justice system and into a more appropriate civil system of enforcement.

Denial of re-registration can be even more effective when based on a plate-to-owner concept, rather than the plate-to-vehicle concept now followed in Ontario. If the plate follows the owner rather than the vehicle, the plate number will serve as a highly visible method of identification. This will be a much more efficient method of enforcement than relying on the chance that a suspended driver might be stopped by the police and then identified by the police information system as a suspended driver. A plate-to-owner concept would also make it possible to bring parking violations into the system. Parking violations — where the sanction is imposed against the owner and not the driver of the vehicle — are not now part of the default fine suspension system. Warrants of committal for parking violations now make up the great bulk of imprisonment in default of fines. If a plate-to-owner concept were introduced and linked to a system based on denial at re-registration, the great bulk of unnecessary imprisonment could be eliminated. A real attack could thus be made on imprisonment in default of payment. The jail population of the province would be reduced by thousands. The distressing situation which now obtains, with thousands of people serving time in jail as an alternative to paying a fine, would be largely eliminated. A good deal of inter-ministry activity is now being

devoted to the development of administrative techniques that can accomplish this end.

These administrative approaches are being actively canvassed in order to reduce, with a view towards virtually eliminating, jail in default of fine and taking the police out of the debt-collecting business. However these relics of a by-gone age — debtor's prison and the use of constables to collect money debts — are really just the symptoms of a much larger problem in the administration of justice. These very visible problems are merely part of the surface structure of the whole system of law and courts. The real problems lurk in the deep structure of the system — in the basic mind-set which dictates the way that the courts deal with minor offences. The deep structural problem is the attitude that every infraction, however minor, must be treated the same way as a major criminal charge.

The man who receives a little yellow ticket for parking his car illegally on Queen's Park Crescent is now entitled to a trial in court with virtually all the trappings of an Assize trial for murder. Although there would of course be some differences in appearance between the two trials, the structural properties of the two trials and the mind-set that infuses all of the actors in the trials, from the judges to the clerks who process the paper, would be identical. Although the methods now used for minor provincial offences were originally, in the context of a criminal trial, methods which secured procedural fairness to the accused, the unthinking transfer of these criminal procedures to minor offences has not been a happy experience. The pressures of volume and the fact that infractions are not criminal in nature have so distorted the criminal procedures that they simply clog the system and delay individual cases inordinately without fulfilling their original purpose. The Ontario Law Reform Commission, in its report on the Administration of Ontario Courts, reviewed the problem and stated:

The whole system of administration of provincial offences is collapsing, not only in court but also with respect to the service of summonses, execution of warrants and the vast amount of related paperwork.

The North York Traffic Tribunal represents a major attack on these problems and the first real step towards decriminalizing traffic offences. The project now operates in North York and is slated for expansion into other parts of Metropolitan Toronto. The basic approach is to remove the hearing of traffic offences from the criminal court setting and link the more informal hearing process to a driver training course. Major features include informality, flexibility, a new process of permitting a plea of "guilty with an explanation", and the absence of a prosecutor from the hearing. The public has accepted this new approach with enthusiasm. Research studies show that the project has resulted in a better public understanding of the hearing procedures, less wasted police time in court, fewer contested trials, improvement in driving habits, a reduced backlog and much less delay in the hearing of cases. Despite the proven success of this new approach to traffic cases, money has not yet been available to extend the programme to other areas. The project, though limited by lack of funds, has proved that new approaches are possible and that they will work.

The use of the Uniform Traffic Ticket and Summary Conviction Ticket, the default fine suspension system, and the North York Traffic Tribunal represent new ways of thinking about minor offences. They represent the first stages in a profound rethinking of the role of the courts and the justice system with respect to minor offences. *The Summary Convictions Act* is being reviewed with the goal of extending these new ways of thinking and developing a whole new approach in order to unclog the courts and deal with minor offences with more speed, flexibility and fairness. Although changes in the justice system come slowly and only with hard work, the process of change is well underway and will, with enough support, continue to meet and overcome the challenges posed to the administration of justice by minor offences.

Appendix

Acts Administered by the Ministry of the Attorney General

Absconding Debtors Act	Factors Act
Absentees Act	Family Law Reform Act, 1975
Accidental Fires Act	Fatal Accidents Act
Accumulations Act	Fines and Forfeitures Act
Administration of Justice Act	Fraudulent Conveyances Act
Age of Majority and Accountability Act, 1971	Fraudulent Debtors Arrest Act
Aliens' Real Property Act	Frustrated Contracts Act
Arbitrations Act	Gaming Act
Architects Act	General Sessions Act
Assessment Review Court Act, 1972	Habeas Corpus Act
Assignments and Preferences Act	Hospitals and Charitable Institutions Inquiries Act
Bail Act	Hotel Registration of Guests Act
Barristers Act	Infants Act
Blind Persons' Rights Act, 1976	Innkeepers Act
Bulk Sales Act	Interpretation Act
Business Records Protection Act	Judges' Orders Enforcement Act
Change of Name Act	Judicature Act
Charitable Gifts Act	Judicial Review Procedure Act, 1971
Charities Accounting Act	Juries Act, 1974
Children's Maintenance Act	Justices of the Peace Act
Commissioners for Taking Affidavits Act	Landlord and Tenant Act
Compensation for Victims of Crime Act, 1971	Law Society Act
Constitutional Questions Act	Legal Aid Act
Conveyancing And Law of Property Act	Legitimacy Act
Costs of Distress Act	Libel and Slander Act
County Court Judges' Criminal Courts Act	Limitations Act
County Courts Act	Lord's Day (Ontario) Act
County Judges Act	Married Women's Property Act
Creditors' Relief Act	Master and Servant Act
Crown Administration of Estates Act	Matrimonial Causes Act
Crown Agency Act	Mechanics' Lien Act
Crown Attorneys Act	Mental Incompetency Act
Crown Witnesses Act	Mercantile Law Amendment Act
Dependants' Relief Act	Ministry of the Attorney General Act (formerly Department of Justice Act)
Deserted Wives' and Children's Maintenance Act	Minors Protection Act
Devolution of Estates Act	Mortgages Act
Disorderly Houses Act	Municipal Conflict of Interest Act, 1972
Dominion Courts Act	
Dower Act	
Escheats Act	Negligence Act
Estreets Act	Notaries Act
Evidence Act	
Execution Act	
Expropriations Act	Ontario Law Reform Commission Act
Extra-Judicial Services Act	Ontario Municipal Board Act

Parents' Maintenance Act	Variation of Trusts Act
Partition Act	Vendors and Purchasers Act
Partnerships Act	Vexatious Proceedings Act
Pawnbrokers Act	Vicious Dogs Act
Perpetuities Act	
Petty Trespass Act	
Powers of Attorney Act	
Proceedings Against the Crown Act	
Professional Engineers Act	
Property and Civil Rights Act	
Provincial Courts Act	
Public Accountancy Act	
Public Authorities Protection Act	
Public Halls Act	
Public Inquiries Act, 1971	
Public Institutions Inspection Act, 1974	
Public Officers Act	
Public Officers' Fees Act	
Public Trustee Act	
Quieting Titles Act	
Reciprocal Enforcement of Judgments Act	
Reciprocal Enforcement of Maintenance Orders Act	
Regulations Act	
Religious Institutions Act	
Replevin Act	
Sale of Goods Act	
Seduction Act	
Settled Estates Act	
Sheriffs Act	
Short Forms of Conveyances Act	
Short Forms of Leases Act	
Short Forms of Mortgages Act	
Small Claims Courts Act	
Solicitors Act	
Statute of Frauds	
Statutes Act	
Statutory Powers Procedure Act, 1971	
Summary Convictions Act	
Surrogate Courts Act	
Survivorship Act	
Ticket Speculation Act	
Time Act	
Trustee Act	
Unconscionable Transactions Relief Act	
University Expropriation Powers Act	

